

GATEWAY

*A collection of historical essays written by undergraduate students
at Washington University in St. Louis.*

**A Publication of the Washington University in St. Louis
Chapter of Phi Alpha Theta
Volume XI, May 2011**

Editors-in-Chief:

Andrew Collings

Randall Pippenger

Editorial Board:

Amanda Matheson

Martin Mintz

Faculty Advisor:

Dr. Nancy Reynolds

Phi Alpha Theta President:

Dave Spandorfer

Special thanks to:

Midtown Printing Company

Washington University Department of History



TABLE OF CONTENTS



Letter from the Editors <i>Andrew Collings and Randall Pippenger</i>	5
Animate Law: The Roman Legal System Under the Dominate <i>Andy Baskin</i>	7
Why was the First Crusade so Successful? <i>Michael Brodsky</i>	22
The Religious Life for Twelfth-Century Holy Women: A Comparative Study of Christina of Markyate <i>Randall Pippenger</i>	28
<i>Inquisitio</i> and Historical Construction in the Valley of Mexico, 1521-1571 <i>Andrew Collings</i>	44
An Examination of Abraham Lincoln’s Image as “The Great Emancipator” <i>Adam Merzel</i>	59
“Riding into the Sunset:” The Legacy of Edward S. Curtis <i>Laura Steefel-Moore</i>	69
The Rise of the American Academy of Political and Social Science, 1945-1970 <i>Dave Spandorfer</i>	85
Senior Honors Thesis Abstracts	103



CONTRIBUTORS TO THIS ISSUE



Andy Baskin ('11) is a History major in the College of Arts and Sciences. Andy is from Rockville, Maryland. The following submission is an adapted chapter from his senior honors thesis, which was written under the direction of Professor Mark Gregory Pegg. Andy will graduate with honors from the History department in May.

Michael Brodsky ('12) is a History major in the College of Arts and Sciences. Michael is from West Bloomfield, Michigan. He has been spending this academic year as a Visiting Student at the University of Oxford, Keble College. Michael's submission was written for Dr. Mark Philpott's tutorial on the Crusades.

Andrew Collings ('11) is a History major with a minor in Text and Tradition. Andrew is from Springfield, Illinois. The following submission is an adapted chapter from his senior honors thesis, which was written under the direction of Professor Mark Gregory Pegg. Andrew will graduate with honors from the History department in May.

Adam Merzel ('11) is a History major with minors in Psychology and Legal Studies. Adam is from Hopkinton, Massachusetts. He wrote the following selection for Professor Iver Bernstein's advanced seminar, "Slavery in America: The Politics of Knowledge Production."

Randall Pippenger ('11) is a History and Religious Studies double major with a minor in Political Science. Randall is from Waynesboro, Tennessee. He wrote the following selection for Professor Daniel Bornstein's advanced seminar, "Women and Religion in Medieval Europe." Randall also completed a senior honors thesis and will graduate with honors in May.

Dave Spandorfer ('11) is a History and International Business double major with a minor in Political Science. The following selection is an adapted chapter from his senior honors thesis, written under the direction of Professor Krister Knapp. Dave will graduate with honors from the History department in May.

Laura Steefel-Moore ('11) is an Art History major and Writing minor from Plymouth, Minnesota. Her paper was written for "Exoticism and Primitivism in Modern Art," taught by Professor Elizabeth Childs.

Letter from the Editors

Andrew Collings and Randall Pippenger

This year, we are proud to present the eleventh edition of the Gateway Journal. Over the past years, student and departmental interest in the publication has grown, and, largely due to faculty encouragement, the number of student submissions for the current volume reached unprecedented numbers. Building off the success of last year's edition, many of the published essays were submitted through a faculty nomination process. This year, we have also attempted to incorporate a wider representation of historical research at Washington University. We received submissions from a number of departments outside of History, including Art History, American Culture Studies, and African and African American Studies. We were able to include an essay from the History Department's study abroad program at the University of Oxford, Keble College.

From Late Antiquity to contemporary society, the essays presented here cut across a diverse range of historical time periods and themes. Four explore various aspects of the medieval world, a period covering over a millennium from the late Roman Empire to the early colonial period in the New World. A number of the pieces focus on institutions, such as Roman law, the Inquisition, institutionalized female monasticism, and the American Academy of Political and Social Science. Others deal with cross-cultural encounters and understandings, particularly through themes of image and representation. We can see, for instance, how Americans such as Edward Curtis sought to portray and romanticize a rapidly disappearing Native American culture, or how historians have come to understand and represent Abraham Lincoln, one of the most archetypal, idealized, and epitomized figures in our nation's short history.

We have also been able to include in this year's publication the abstracts for the 2010-2011 senior honors thesis writers. All the essays and abstracts published in the Gateway Journal represent

the highest standard of undergraduate historical writing and are seen as the pinnacle of undergraduate research.

Editing the Journal has been a rewarding and enlightening experience. We have thoroughly enjoyed compiling this anthology. We would like to thank our authors for their diligent work, our faculty for their untiring support, and our editorial board for their assistance in bringing this journal to fruition. Our faculty advisor, Professor Nancy Reynolds, has been particularly helpful throughout the entire process.

The following essays are presented in chronological order. We hope you enjoy the journal and hopefully learn a bit about history in the process.

Animate Law: The Roman Legal System Under the Dominate

Andy Baskin

“In his greed and anxiety he turned the world upside down,” the Christian teacher Lactantius said in his denunciation of the Emperor Diocletian in the early fourth century, bitterly bemoaning the administrative changes the pagan ruler was inflicting upon the Roman Empire. “Provinces too were cut into fragments; many governors and even more officials were imposed on individual regions, almost on individual cities,” he continued, describing in great detail the reforms that, ironically, his patron, Constantine I, would expand upon and make permanent. Lactantius ended his attack by stating how the Emperor added to these new offices “numerous accountants, controllers, and prefects’ deputies.”¹ Diocletian may have earned Lactantius’s condemnation as a result of his persecution of Christians, but the effects of his reforms laid the groundwork for the transformation of the Roman Empire. Whereas before the empire had been a loose confederation of cities left largely to their own affairs, under the Dominate the loyalty of its citizens shifted from their local communities to the Emperor. Diocletian’s successors cultivated the image of Emperor as divinely-appointed leader at the head of a powerful, centralized bureaucracy.² As the powers of the Emperor and the bureaucracy grew, they brought with them a culture of professionalism and legal rigor, especially in the eastern half of the empire.³ In order to understand how the law functioned in the fourth century, the law must be viewed through the changes affecting the Emperor and the civil service.

Throughout the history of Rome, society remained firmly based on laws that dictated the relationship of its citizens to one another. People defined themselves via their legal status, as *honestiore* or *humiliore*, and relied on the law to solve their disagreements. But above the “immovable law,” that governed society existed the “animate law,” embodied by the Emperor.⁴ During the Principate, jurists struggled with defining the extent and limits of imperial power. The use of imperial rescripts and edicts during the second century helped solidify the Emperor’s position as the ultimate source of law.⁵ The jurist Gaius, writing in the same century, wrote that “A constitution is law established by the emperor either by decree, edict, or letter; and was always recognized as having the force of a statute, since it is by statute that the

emperor himself acquires supreme executive power.”⁶ In Gaius’ mind, the Emperor derived his power from the law. Theoretically, revoking the statute would mean revoking the power of the Emperor, though this was of course impossible in practice. A law of 233 reinforced this idea by insisting that while “the jurisprudence of the Empire exempts the sovereign from complying with the ordinary legal formalities, still, no duty is so incumbent upon him as to live in obedience to the laws.”⁷ The Emperor may have in practice held absolute power, but during the Principate the Emperors chose to maintain the ideal of a ruler subservient to the laws of the state.

This state of affairs lasted until the reign of Dicoletian, whose monumental alterations to the empire reshaped much of Roman administration. The civil service, the army, the division of the empire, and the legal system were all restructured with an absolute monarch in mind.⁸ No longer was the Emperor first among equal citizens, in charge of a loose confederation of cities and provinces. Instead, the Emperor became a semi-divine figure, nearly unapproachable and held aloft from the citizens of the empire. In a famous scene, Ammianus described Constantius II entering Rome on a visit in 357. As he entered the city, “He exhibited no emotion, but kept the same impassive air as he commonly wore before his subjects in the provinces.” The gap between ruler and ruled had expanded dramatically, to the extent that the Emperor barely appeared human. Constantius “did not nod, and at no point was he seen to spit or to wipe or rub his face or nose or to move his hand; he had an unusual degree of self-control, which one was given to believe belonged to him alone.”⁹ John Chrysostom believed Emperor Theodosius I had “not an equal in dignity upon the earth; for he is a monarch; the summit and head of all here below!”¹⁰ The layers of separation between the common citizen and the Emperor likewise increased with the size of the bureaucracy. Although still technically the court of last resort for citizens, the Emperor and his council now heard only the most complex cases and lawsuits.¹¹ Praetorian prefects, vicars, governors, and thousands of civil servants now walled off citizens from direct access to the Emperor. The conduct of Emperors varied from person to person, but in general the office adopted a more dictatorial and ritualized persona.¹²

The adoption of Christianity by Constantine I and his successors facilitated and enhanced the autocratic characteristics of the Roman Emperors by adding an aura of divinity to their persons. Although numerous Emperors had been deified after their deaths, the Christian rulers of the fourth century were considered the living instruments of God, the natural rulers of the world appointed from heaven.¹³ Almost immediately, the effects of this conversion can be seen in the language of the law. As early as 316, a law on appeals invoked “the criminal charge

of sacrilege.”¹⁴ Committing “high treason” was now synonymous with “sacrilegious intent.”¹⁵ Even questioning the Emperor’s appointments now risked punishment, as “it [was] a kind of sacrilege to doubt whether the person whom the Emperor has selected is worthy.”¹⁶ The Emperor was now firmly placed above the lowly citizens of his empire. His justice was God’s justice, bestowed by “Our Imperial Divinity.”¹⁷

In the words of the rhetorician Themistius, the Roman Emperor and the law were one. “For he is the animate law, not merely a law laid down in permanent and unchangeable terms,” the orator noted in a speech to Theodosius I. “This means that God sent kings to the earth to serve men as refuge from the immovable law to the safety of the animate and living law.”¹⁸ Writing in the late fourth century, Themistius emphasized that the Emperor acted as the ultimate law-giver and judge, in essence God’s representative on earth. He was the source of law, and the source of mercy as a figure above the law. This was the culmination of Constantine I’s vision of the Emperor as a heavenly-appointed ruler, rigorously and compassionately leading the empire through his mastery of the law and his control of a strong, centralized bureaucracy. In actuality, although the Emperor had absolute authority in creating and enforcing laws, the legal system of the Roman Empire often operated in reaction to outside forces, rather than from the internal directives of the Emperor.

In an address to the Senate in 429, the Emperors Theodosius II ordered the production of the Theodosian Code, a body of law consisting of “all the constitutions that were issued by the renowned Constantine I, by the sainted Emperors after him, and by Us and which rest upon the force of edicts or sacred imperial law of general force.”¹⁹ In effect, the Emperors issued a call for the collection of all *leges generales*, the general laws, which applied throughout the Roman Empire. This was intended to separate legislation that applied to the entire empire from *rescripta*, the response of the Emperor to specific petitions and requests for judgment, which would now applied only to individual cases.²⁰ Diocletian had ordered the *rescripta* compiled in the 290s, resulting in the *Codex Gregorianus* and the *Codex Hermogenianus*.²¹ His successor Constantine I began to move away from this approach, and later Emperors periodically issued laws limiting the scope of the *rescripta*.²² When compiling the Theodosian Code, the editors included over a thousand *leges generales* on a wide array of topics, from tax collection to religion.²³ The manner in which these laws were created, and distributed, revealed the contradictory role of the Emperor in crafting legislation. While the Emperor was the embodiment of law, a codified legal system necessarily restricted his input and limited his personal authority, even as it expanded the range of the imperial administration as a whole.

Because the Emperor had absolute, unquestionable authority, he was not limited by any one method of passing legislation.²⁴ Perhaps the most direct method involved a statement of the Emperor, either sent to the senate as an *oratio* or otherwise issued as *edictum*. Under this process, either the Emperor or a member of the consistory would propose a new piece of legislation. After some discussion over the nature of the law, the quaestor would then draw up the proposal, focusing more on style and rhetoric rather than the actual content. Following more discussion over the final draft, the Emperor would give his approval and the law would take effect. When such laws appear in the Theodosian Code, they are addressed sometimes to the senate or a specific audience, but still apply as *leges generales*.²⁵ The general application of such laws was limited through the use of imperial *epistulae*. These were qualifications to *edictum*, addressed to specific officials throughout the empire. In such a way, a piece of legislation might function as *leges generales* in certain areas of the empire, but not be universal throughout all of Roman territory. Emperors might, for instance, reissue legislation that originally applied solely in the east for the west, or vice versa.²⁶

Despite the centralized procedure of making a law, the impetus for such action usually originated from a provincial source. Commonly, an official would pass a *suggestio*, a proposal for a new law or regulation, up the bureaucratic hierarchy until it reached the Emperor or his consistory. Due to the volume of such requests and the special circumstances under which they were written, it is unlikely that every member of the consistory debated the law in question. Rather, the government minister relevant to the issue in question would propose a new law to the consistory, who would then vote on it through the procedure described above.²⁷ Similarly, regulations proposed by qualified officials might be simply approved by the Emperor and passed into the law. Such was the case in 427, when Antiochus, a former quaester and future editor of the Theodosian Code, proposed a system to allow governors to delegate some judicial authority to lesser officials in their province. Both eastern and western Emperors agreed, and the law passed with little to no change from the original *suggestio*.²⁸

Aside from the imperial initiative, new laws could be generated from the appellate judgments of the Emperor and his consistory. Each division of the provincial bureaucracy, from governor to prefect, also functioned as an appellate court. Constantine I passed a law in 325 granting the right of appeal up to the praetorian prefect, and promising that neglectful governors who ignored appeals would be “fittingly punished.”²⁹ Particularly difficult cases could be referred all the way up to the Emperor, who might in turn propose a new law to deal with similar situations in the future. Symmachus, the prefect of Rome, referred a

complicated land possession case up to the Emperor, with the hope that “your Perennities will think fit, by setting a precedent in one case, to serve the cause of everybody’s peace of mind.”³⁰ An issue involving the right to appeal was also at stake in this case. An imperial Constitution addressed to Symmachus was then issued, creating a new definition of appeal on 29 November, 384.³¹ The system functioned in a similar manner to the *suggestio*, but in a more indirect fashion.

Powerful interests within the empire often found ways to work around the formal structure of the system. While the Emperor relied extensively on *suggestiones* when creating legislation, he did not wait only for the highest official, such as the praetorian prefect or city prefect, to pass him reports. It would also be in the best interests of the Emperor to have as many sources of information as possible, so as to not be limited by his own centralized bureaucracy. Thus, although technically governors were meant to send proposals through *vicarii*, who would in turn pass them along to the praetorian prefects, oftentimes this process was not strictly followed. In addition, those with influential connections, including private citizens, could find ways of proposing new laws to the Emperor. Ambrose, the bishop of Milan, used the authority of his position to offer proposals to the Emperor Theodosius I.³² Because the Emperor’s will was law, it was in the interest of every official to receive a favorable ruling from the imperial capitol. Every interest group, from city councils to guilds and bishops, could travel to the Emperor in search of a favorable reply or a promising piece of new legislation.³³ For instance, the prominent orator Libanius delivered a speech to the Emperor Theodosius asking for a change in the law concerning prisoner management. In so doing, he bypassed the governor, and indeed noted that “the governors sent out to the provinces are murderers.”³⁴ Libanius insisted the Emperor enact prison reforms, and back up his efforts with able administrators. Reform eventually did come in the form of a new law, albeit one passed decades after Libanius’ oration. For an Emperor isolated in the capital at Constantinople, subversion of the *suggestiones* process had its benefits. Although generally only the most powerful interest groups could reach the imperial court, these embassies allowed the Emperor to get a fresh perspective on the legal needs of the empire. A rigid bureaucracy limits the power of an autocrat, and in the legal arena the Emperor had to fight against his advisors gaining too much control at the expense of his own power.³⁵

The Emperor held a position of unlimited power and could make his favorite issues law through a variety of decrees, *edicta*, and imperial pronouncements.³⁶ But in general, the law did not emerge solely from the Emperor and his advisors. Outside forces constantly sought to influence the development of new laws and to have their requests codified and

issued throughout the empire. These different pressures, from within the imperial administration and without, meant the law addressed local concerns and developed gradually over time. Just as important as the Emperor, however, was the bureaucracy that oversaw the legal system and the execution of the laws.

“Constantine upset this established order and divided the one office into four commands,” the historian Zosimus recorded in his account of the fourth century. “Having made this division of power among the prefects, he was eager to lessen their influence in other ways too,” Zosimus continued before going on to describe the separation of military from civilian affairs.³⁷ An Emperor’s will extended only as far as his civil service, a fact Constantine I grasped immediately upon solidifying his control over the empire. By the fourth century, the military and the central bureaucracy, rather than provincial and municipal governments, commanded the most resources and the most prestigious positions in society.³⁸ This represented a shift in the culture of the empire as much as a change in the administration of the empire. Amidst that restructuring, the legal system likewise underwent significant changes in the manner in which the courts operated and the laws were passed. Emperors became preoccupied not only with managing an increasingly professional bureaucracy, but with trying to increase the efficacy of the law. A typical example occurred in 383, when the Emperor Theodosius I issued a command to his praetorian prefect that, “If Your Sublimity should find any judges who are lazy in body and negligent[,] you shall heap upon them the punishment of public vengeance.”³⁹ As the civil service grew more skilled, its legal responsibilities likewise increased. In order to fully understand what this shift in the makeup of Rome meant, and why these changes occurred, it is first necessary to examine the new influences affecting the development of the later empire.

The territorial size of the empire underwent few significant alterations from the middle of the third century to the reign of Theodosius I. Yet, according to some estimates, the number of senior bureaucratic officials jumped from roughly 250 to over 6,000 in that same 150 year period.⁴⁰ Even accounting for the large number of slaves in administrative positions during the Principate, estimates for the Dominate allow for an increase of over three times as many officials, at close to 35,000 personnel.⁴¹ Beginning with the reorganization of the empire under Dicoletian and Constantine I, new offices and departments required thousands of new clerks, secretaries, and bureaucrats. New officials, in charge of imperial subdivisions that had not existed previously, now had at their command staffs numbering into the

hundreds.⁴² This expansion of the bureaucracy would have an enormous impact on every level of the empire, from the Emperor to local village councils. The administrative culture, and therefore the legal culture, was transformed by this wave of centralization.

Diocletian and his successors throughout the early fourth century set about creating a new, hierarchical division of the state. While the original plan for formally organizing the empire into a tetrarchy of two senior Emperors supported by two junior partners failed when Constantine I became sole ruler in 324, many other centralizing reforms took hold.⁴³ Constantine I abandoned the notion of four Emperors, but retained the basic concept by subdividing the empire into four praetorian prefectures, each overseen by a praetorian prefect. These officials had enormous responsibility for their regions; they were ultimately responsible for tax collection and military recruitment and provisioning, and also served as the highest judge aside from the Emperor. The prefects acted *vice sacra*, in place of the Emperor, issuing commands and hearing appeals directly on his behalf. The cities of Rome and Constantinople, the new imperial capital created by Constantine I in 330, were run by *praefectus urbi*, “city prefects,” and fell outside the jurisdiction of the praetorian prefects.⁴⁴ The next level of provincial administration consisted of dioceses, groups of provinces under the authority of prefects with a variety of titles, but often called *vicarii*.⁴⁵ Although their importance and power varied along with their title, they were chiefly involved with supervising the governors of provinces and carrying out the responsibilities of the praetorian prefects.⁴⁶ The lowest subdivision consisted of the provinces, which numbered around one hundred and were administered by governors. The office of governor declined in authority significantly following the reforms of the early fourth century. Governors were now fully divorced from military administration and functioned primarily as judges and financial officers. They were responsible for personally hearing cases, maintaining public works, and general management.⁴⁷

Similar to the provincial administration, the central bureaucracy underwent its own upheaval in the fourth century. Around 400, the civil service consisted of tens of thousands of bureaucrats serving at every level of local and central government. While the Senate in Rome and Constantinople technically functioned as an advisory body to the Emperor, it exercised little independent thought or action during most of the late Roman Empire. Instead, the Emperor relied on the bureaucracy, the departmental heads of which made up his advisory council, the consistory.⁴⁸ This council, the *sacrum consistorium*, consisted of several high officials in charge of the different branches of government and the military. The most important officials were the *magister officiorum*, the

head of central administration, the *quaestor sacri palatii*, the justice minister, the finance ministers, and several military leaders. These ministers generally oversaw the *sacra scrinia*, imperial secretariats, and were aided by appropriately sized staffs.⁴⁹ The duties and functions of these offices also evolved over time, dependent both on the will of the Emperor and the forcefulness of the individual bureaucrats.

In an empire the size of Rome, one of the paramount problems in overseeing a central government was access to information. To work around this barrier, the Emperor employed a variety of special agents and officials who could serve as the eyes and ears of the Emperor in the provinces. These were the *notarii*, clerks and minor civil servants, and the *agentes in rebus*, the messengers and imperial agents supervised by the *magister officiorum*.⁵⁰ The responsibilities of these agents varied, as did their number, but their official purpose was to “sustain the duty of guarding the public post.”⁵¹ In reality, they also may have functioned as a limited version of a secret police force, informing on officials and overseeing the operations of provincial government. Among some contemporary commentators, such as Libanius, these “eyes of the emperor,” were “snoopers,” while the *notarii* were “Cerebruses, these many-headed monsters.”⁵² *Agentes in rebus* may have gained a sinister reputation, but they were hardly the only officials tasked with spying and supervising in the provinces. For the leader of a highly centralized government, avoiding ignorance and isolation meant having as many sources of intelligence as possible. Imperial officials might serve in many capacities in their lifetime; former *agentes in rebus* might become a *defensor*, for instance, thus further expanding the reach of the Emperor and serving as a check against corrupt governors and judges.⁵³ With an ever-growing bureaucracy, the Emperor had any number of civil servants to rely upon for information.

The Emperor also employed special agents for more popular reasons. The office of *defensor civitatis* was instituted in the early fourth century as a check on the power of local officials and as means of legal support for the lower classes. A law of Valentinian in 368 noted that “Although We have carefully established many things in behalf of the plebians, We believe that We have provided nothing for them unless We should give them suitable defenders.”⁵⁴ Either the Emperor or the praetorian prefect would appoint retired officials, “whose past lives have been praiseworthy and who have either administered provinces or have performed terms of imperial service,” to defend *humiliores*, lower-class citizens, in court.⁵⁵ The *defensor* could help the poor avoid torture and arrest, while also providing quick and efficient judgment for those accused of minor crimes.⁵⁶ This meant that the poor had an outlet in the

face of persecution from the wealthy elite, and the governors could delegate some of their responsibility to the *defensor*.⁵⁷

The descriptions of imperial officials and the hierarchy of the civil service give the false impression of an orderliness and rigidity to the Roman administrative system that simply did not exist. It is important to keep in mind that Diocletian did not invent this system entirely, but that the centralization of finance and legal jurisdiction in the provinces had been merging for much of the third century and would continue to develop throughout the history of the Roman Empire.⁵⁸ Successive Emperors were also constantly revising the number of provinces and the role of officials. Taking just one example, the concept of a diocese in particular seems to have been gradually phased out, due to its awkward position between governor and praetorian prefect. Governors might appeal directly to the praetorian prefect, while *vicarii* might write directly to the Emperor, adding to the confusion.⁵⁹ Other problems involving corruption and patronage likewise continued to haunt Roman Emperors. Yet the development of this bureaucratic system, which expanded the empire into areas it had never gone before, resulted in a new legal and professional culture. This did not necessarily lead to greater efficiency or justice, but the atmosphere that developed around the new bureaucratic structure profoundly altered the administration and creation of Roman law in the fourth century.

The new professional bureaucracy that developed alongside the more powerful central administration and Emperor brought with it new approaches towards the law. The changing nature of jurists in the Roman bureaucracy is one particularly revelatory example. During the Principate, jurists were often private individuals who wrote extensive treatises and commentaries on the nature of Roman law. They published handbooks and guides on the use and development of classical law and often served as arbiters and important legal scholars.⁶⁰ In the later empire, judges might consult the works of famous jurists in order to clarify certain legal proceedings or to help them make judgments during a trial. The classical jurists were so prolific that in 426 Theodosius II sought to clarify the status of individual jurists and their works. He passed the famous “Law of Citations,” confirming “all the writings of Papinian, Paulus, Gaius, Ulpian and Modestinus,” as equally valid under Roman law.⁶¹ These specific jurists were enormously respected in their lifetimes, and many held important positions in the court of the early Roman Emperors. One of the last and most revered jurists, Papinian, even served as praetorian prefect.⁶²

By the fourth century, this trend had progressed to the extent that jurists were absorbed almost entirely into the bureaucracy. This was

facilitated by the fact that imperial rescripts, rather than the private writings of jurists, were now primarily used to decide cases. Jurists may have worked for the Roman state and helped draft these rescripts, but the jurists now functioned as the Emperor's lawyers. Later in the fourth century, as general laws replaced rescripts as the instrument of choice for creating legislation, the contemporary work of the jurists fell in importance.⁶³ Laws were composed by rhetoricians, rather than jurists or professional lawyers. The Law of Citations likewise did not encourage new legal treatises; the Emperor had limited the importance of private legal scholarship to five jurists. Legal professionals instead looked for employment as an assessor to a judge or prefect, or a clerk in the office of petitions, the *scrinium libellorum*.⁶⁴

The shift in the role of jurors coincided with the development of a more professional, legal culture within the bureaucracy, especially in the eastern empire. This can be seen most directly through the evolution of the office of quaestor, but the change permeated all levels of the Roman civil service. According to Zosimus, the office of quaestor originated under Constantine I and was responsible for "dictating the Emperor's opinions."⁶⁵ The early responsibilities for the quaestor were the character and rhetorical structure of the laws, not their content. Quaestors functioned primarily as spokesman rather than as administrator; perhaps for this reason they were also not assigned their own staff, even when the office grew in importance.⁶⁶ The emphasis shifted from rhetorical style to legal competence in the 370s and 380s. Tony Honore believes the first lawyer quaestor took office in 380 under Theodosius, as the East began placing more emphasis on the legal system and the legal background of its high officials.⁶⁷ Even if the quaestor did not have legal training, he would work closely with the office of petitions, which had a legal staff to assist him.⁶⁸ The quaestor as lawyer did not develop in the West for another generation, but in the East it became one of the most important positions in the imperial court. Quaestors heard petitions, judged appeals from lower courts, and provided legal advice to the Emperor. The jurists may have lost their independent voice in the late Roman Empire, but legal culture continued to thrive and play an important role in government, particularly in the East.⁶⁹

By the fifth century the quaestorship and the civil service had obtained an impressive degree of professionalism in the eastern Roman Empire. But this did not necessarily apply to the governors, prefects, and head administrators who officially handled the bulk of legal cases and appeals. Officially, at the local level, the *iudex*, the judge, was either the governor or his personal representative. Appeals would go to the *vicarii* or the praetorian prefect and, in some cases, the Emperor. The judge

often served more as a mediator or arbiter rather than a strictly neutral party, and could ask questions and conduct his own investigation into the case.⁷⁰ However, like the original quaestors, the *iudex* might not have had any significant training in law besides an education in rhetoric and whatever legal knowledge he picked up during his tenure in office. Ammianus remarked how the Persians “laugh at our custom of giving unlearned judges eloquent assessors who are thoroughly versed in public law.”⁷¹ Adding to the difficulty, while exact numbers are hard to come by, some estimates suggest that governors had a staff of just one hundred, and praetorian prefects had only triple that number. In comparison to the size of the areas the judges administered, these numbers were miniscule.⁷² There were a number of problems resulting from such a system, but it is important to keep in mind the conditions under which judges worked.

The *iudex*, either the governor or his delegate, acted as sole judge, but he did not usually hear cases by himself. Rather, he received support from both his staff and from local retired imperial officials. Other privileged officials and local dignitaries might also sit in on the hearings beside the *iudex*, and make their own opinions known. Given the high turnover rate amongst governors, many of these ex-officials might even be former judges themselves.⁷³ Prominent and highly educated local citizens, such as Libanius in Antioch, would also be expected to attend court proceedings.⁷⁴ Retired bureaucrats, some of whom might easily outrank the governor in terms of privilege and status, were also guaranteed the right to “enter the private council chamber of any judge and also shall have the right to sit with the judge.”⁷⁵ Like the Emperor, judges also had their own *consilium*, their advisors.⁷⁶ As mentioned earlier, jurists and legal scholars might find steady employment as a legal councilor to an official. The *iudex* had many sources of advice to turn to as he went through the case. As the judicial process became the primary focus of the governor, the importance of legal knowledge in a *iudex* and his officials likewise grew.

The legal culture expanded beyond the bureaucracy. After 212, every free resident of the empire became a Roman citizen, with access to Roman law and courts. Ammianus ridiculed the fact that “all over the East are to be found various types of violent and rapacious men who flit from court to court,” in pursuit of law suits.⁷⁷ Despite Ammianus’ critique, the numbers and prestige of lawyers and advocates rose correspondingly with their importance. By the reign of Theodoisus I, both public and private citizens had a high demand for men trained in the law. Libanius lamented the fact that advocates were required to have some legal knowledge.⁷⁸ Centuries earlier, rhetoric had been the standard for education throughout the empire. Increasingly in the fourth century,

the study of law provided a solid avenue of approach for young men looking to work in government.⁷⁹ The importance of training advocates in Roman law rather than rhetoric fluctuated throughout the fourth century, although schools in Beirut and Constantinople were prominent centers of legal training.⁸⁰ It is not till the end of this period that advocacy became strictly regulated by statutes on proper training and fees. Yet there was a growing sense that, faced with the increased clout of the expanded bureaucracy and the rising importance of legal knowledge, the practitioners of Roman law should also reflect these new conditions.

Law in the late Roman Empire developed during the fourth century through a mix of pressure from the Emperors and from provincial interest groups operating at a local level. The law reveals how this supposedly autocratic, centralized government in reality functioned mainly in reaction to its lower officials. The Emperor and his councilors made decisions largely based on what they heard from the provinces, through court cases and *suggestiones*. The centralization of the bureaucracy funneled legal questions and issues in the law up from the province to the Emperor at Constantinople, and the result was the body of law issued in the Theodosian Code and its subsequent additions. This law was administered by a growing class of professional bureaucrats, many of whom had some degree of legal training and rhetorical background. It is within this new bureaucratic context that the legal system of the late Roman Empire took shape, constantly altered and manipulated by the Emperor, his civil servants, and ordinary citizens. These same influences, however, would lead to debilitating problems within the law, hindering both its creation and practice. The result would be an inefficient, unjust system crippled on the outset by the impossible goals of the Emperor and the accepted social customs of Roman civilization.

¹ Lactantius, *De mortibus persecutorum* 7.1-8, trans. J. L. Creed (Oxford: Clarendon Press, 1984), pp. 11-13.

² A. H. M. Jones, *The Later Roman Empire 284-602: A Social Economic and Administrative Survey*, 3 vols. (Norman, Oklahoma: University of Oklahoma Press, 1964), p. 321 [hereafter *LRE I*].

³ Tony Honore, *Law in the Crisis of Empire 379-455 AD: The Theodosian Dynasty and its Quaestors* (Oxford: Clarendon Press, 1998), p. 19 [hereafter *Law in the Crisis of Empire*].

⁴ Themistius, *Oration* 19, trans. Francis Dvornik, *Early Christian and Byzantine Political Philosophy: Origins and Background*, Vol 2. (Washington, D.C.: Dumbarton Oaks Press, 1966), p. 623 [hereafter *Oration* 19].

⁵ Fritz Schulz, *History of Roman Legal Science* (Oxford: Clarendon Press, 1953), p. 287.

⁶ Gaius, *Institutes of Roman Law*, trans. Edward Poste (Oxford: Clarendon Press, 1904), 1.5, p. 3 [hereafter *Institutes*].

⁷ *The Code of Justinian I-XII*, trans. S. P. Scott as *The Civil Law: Including The Twelve Tables, The Institutes of Gaius, The Rules of Ulpian, The Opinions of Paulus, The Enactments of Justinian, and The Constitutions of Leo* 6.23.3 Vols 12-17 (New York: AMS Press, 1973), p. 329 [hereafter CJ].

⁸ Francis Dvornik, *Early Christian and Byzantine Political Philosophy*, p. 522.

⁹ Ammianus Marcellinus, *Rerum gestarum libri* 16.10.9, trans. Walter Hamilton (New York: Penguin, 1986), p. 101.

¹⁰ John Chrysostom, “The Homilies on the Statues,” Homily 2.7, trans. W. R. Stephehn in *Saint Chrysostom: On the Priesthood; Ascetic Treatises; Select Homilies and Letters; Homilies on the Statues*, ed. Philip Schaff, A Select Library of the Nicene and Post-Nicene Fathers of the Christian Church Vol. 9 (Grand Rapids, Michigan: WM. B. Eerdmans Publishing Company, 1956), p. 346.

¹¹ See C.Th. 1.5.4, p. 16, which insisted that judges hear cases first before referring them to the Emperor. Those cases that did reach the Emperor were extremely convoluted and intricate. Examples of these can be seen in the *Relationes* of the praetorian prefect Symmachus to the Emperor.

¹² John Matthews, *The Roman Empire of Ammianus* (Baltimore, MD: The Johns Hopkins University Press, 1989), pp. 233-237.

¹³ Jones, *LRE* I, p. 321.

¹⁴ *The Theodosian Code and Novels, and the Sirmondian Constitutions*, trans. Clyde Pharr as *The Corpus of Roman Law (Corpus Juris Romani): A Translation, with commentary, of all the Source Material of Roman Law* 11.30.6, Vol 1 (Princeton: Princeton University Press, 1952), p. 323 [hereafter C.Th.].

¹⁵ C.Th. 9.42.6, p. 260.

¹⁶ C.Th. 1.6.9, p. 19.

¹⁷ C.Th. 6.5.2, p. 127.

¹⁸ Themistius, *Oration* 19, p. 5.

¹⁹ C.Th. 1.1.5, p. 12.

²⁰ Wolfgang Kunkel, *An Introduction to Roman Legal and Constitutional History*, trans. J.M. Kelly (Oxford: Clarendon Press, 1966), p. 144.

²¹ Alan Watson, *The Spirit of Roman Law* (Athens, Georgia: The University of Georgia Press, 1995), p. 125.

²² Tony Honore, *Emperors and Lawyers* (Oxford: Clarendon Press, 1994), p. 185; C.Th. 1.2.2, p. 13; *Ibid.*, 1.2.11, p. 14.

²³ C.Th. 11.1.2, p. 291; *Ibid.*, 16.1.2, p. 440.

²⁴ H.F. Jolowicz, *Historical Introduction to the Study of Roman Law* (Cambridge: Cambridge University Press, 1952), p. 478.

²⁵ Honore, *Crisis of Empire*, pp. 13-14; Jill Harries, “Introduction: The Background to the Code,” in *The Theodosian Code*, eds. Jill Harries and Ian Wood (Ithaca, New York: Cornell University Press, 1993), p. 5.

²⁶ For an example, see the complementary laws passed by Honorius in the west and Theodosius II in the east, C.Th. 6.23.2, p. 134 and C.Th. 6.23.4, p. 135.

²⁷ Jones, *LRE* I, p. 352.

²⁸ Jill Harries, “Background to the Code,” p. 9; CJ 1.50.2, p. 154.

²⁹ C.Th. 1.5.1, p. 15.

³⁰ Symmachus, *Relationes* 28.10, trans. R. H. Barrow as *Prefect and Emperor: The Relationes of Symmachus A.D. 384* (Oxford: Clarendon Press, 1973), p. 161.

³¹ C.Th. 11.30.44, p. 328.

³² Jones, *LRE* I, 351.

³³ Jill Harries, *Law and Empire in Late Antiquity* (Cambridge: Cambridge University Press, 1999), p. 49.

³⁴ Libanius, "Concerning the Prisoners," 21.2, trans. Roger A. Pack in "Studies in Libanius and Antiochene Society Under Theodosius," (PhD diss., University of Michigan, 1935), p. 84.

³⁵ For an in-depth analysis of the balance of power between autocracy and bureaucracy, see Kelly, *Ruling the Later Roman Empire*, pp. 190-215.

³⁶ Unfortunately, the editors of the Theodosian Code removed much about the origins of the laws they preserved. Laws seemingly addressed from the Emperor to a high official might have a complex legal history from any number of sources. The Sirmmodian Constitutions, a collection of twenty-one legal constitutions from the late Roman empire, preserve some laws in full, and give an impression of the source of late imperial legislation. These laws, unlike the majority of the Theodosian Code, are unedited and thus give some of the background and reasoning behind the legislation. One law of Honorius from 420 states that its source was "the faithful recommendation of a religious priest," and the highly religious text of the law provides some theological discussion of why the decree is being passed. While the law is addressed to a praetorian prefect, the source clearly comes from outside the imperial bureaucracy, and the reasoning behind the law is plainly explained. See, John F. Matthews, *Laying Down the Law: Study of the Theodosian Code* (New Haven: Yale University Press, 2000), 127; for the law of Honorius, see Sirm. 10, p. 481.

³⁷ Zosimus, *Historia Nova* 2.33, trans. James J. Buchanan and Harold T. Davis (San Antonio, Texas: Trinity University Press, 1967), pp. 74-75.

³⁸ Peter Brown, *Power and Persuasion in Late Antiquity: Towards a Christian Empire* (Madison: University of Wisconsin Press, 1992), p. 19.

³⁹ C.Th. 1.5.9, p. 16.

⁴⁰ Peter Heather, *The Fall of the Roman Empire* (London: Macmillan, 2005), p. 28.

⁴¹ Christopher Kelly, *Ruling the Later Roman Empire* (Cambridge, Massachusetts: Belknap Press of Harvard University Press, 2004), p. 111.

⁴² Jones, *LRE* I pp. 50-51.

⁴³ George Mousourakis, *A Legal History of Rome* (New York: Routledge, 2007), p. 136-139.

⁴⁴ *Ibid.*, pp. 144-145.

⁴⁵ Kelly, *Ruling the Later Roman Empire*, pp. 71-72.

⁴⁶ Jill Harries, *Law and Empire in Late Antiquity* (Cambridge: Cambridge University Press, 1999), p. 167.

⁴⁷ Jones, *LRE* I, p. 46.

⁴⁸ *Ibid.*, pp. 329-33.

⁴⁹ Mousourakis, *Legal History*, p. 143.

⁵⁰ Kelly, *Ruling the Later Roman Empire*, p. 206.

⁵¹ C.Th. 6.29.3, p. 146; See also *Ibid.*, 6.29.1, p. 145; *Ibid.*, 6.29.2, p. 145.

⁵² Libanius, *Oratio* 134. See Kelly, *Ruling the Later Roman Empire*, p. 207.

⁵³ C.Th. 1.29.4, p. 33.

⁵⁴ C.Th. 1.29.3, p. 33.

⁵⁵ C.Th. 1.29.1, p. 32.

⁵⁶ Mousourakis, *Legal History*, p. 172.

⁵⁷ Jones, *LRE* I, p. 480.

⁵⁸ *Ibid.*, p. 44.

⁵⁹ A. H. M. Jones, *The Decline of the Ancient World* (New York: Holt, Rinehart and Winston, 1966), p. 143.

-
- ⁶⁰ Ibid., p. 112.
- ⁶¹ C.Th. 1.4.3, p. 15.
- ⁶² O.F. Robinson, *The Sources of Roman Law: Problems and Methods for Ancient Historians* (London: Routledge, 1997), p. 45.
- ⁶³ Tony Honore, "Roman Law AD 200-400: From Cosmopolis to Rechtstaat?" in *Approaching Late Antiquity: The Transformation from Early to Late Empire*, eds. Simon Swain and Mark Edwards (Oxford: Oxford University Press, 2004), p. 118.
- ⁶⁴ Ibid., p. 118-119.
- ⁶⁵ Zosimus, *Historia Nova* 5.32, pp. 228-229.
- ⁶⁶ Honore, *Law in the Crisis of Empire*, p. 14.
- ⁶⁷ Jill Harries, "The Roman Imperial Quaestor from Constantine to Theodosius II," *The Journal of Roman Studies* 78 (1988), p. 169.
- ⁶⁸ Honore, *Law in the Crisis of Empire*, p. 14.
- ⁶⁹ Harries, *Law and Empire*, p. 46.
- ⁷⁰ Ibid., p. 103.
- ⁷¹ Ammianus, *Rerum gestarum libri* 23.6.82, p. 265.
- ⁷² Kelly, *Ruling the Later Roman Empire*, p. 145.
- ⁷³ Brown, *Power and Persuasion*, p. 22.
- ⁷⁴ J.H.W.G. Liebeschuetz in *Antioch: City and Imperial Administration in the Late Roman Empire* (Oxford: Clarendon Press, 1972), p. 189.
- ⁷⁵ C.Th. 6.26.7, p. 138.
- ⁷⁶ Harries, *Law and Empire*, p. 102.
- ⁷⁷ Ammianus, *Rerum gestarum libri* 30.4.8, p. 395.
- ⁷⁸ Libanius, *Oratio* 1.77. Now, see Raffaella Criatore, *The School of Libanius in Late Antique Antioch* (Princeton: Princeton University Press, 2007), p. 212.
- ⁷⁹ Honore, *Law in the Crisis of Empire*, p. 7.
- ⁸⁰ Schulz, *Legal Science*, p. 269.

Why was the First Crusade so Successful?

Michael Brodsky

When Pope Urban II preached the First Crusade at Clermont, he could not have imagined the tremendous success that it was bound to become. Although contemporary crusaders tended to attribute victory to God's grace, there are more manifest factors that came into play. First of all, Arab disunity set the stage for their invasion, as it distracted Muslim attention and debilitated a unified resistance. Meanwhile, Frankish armies received invaluable aid from the Byzantine Empire, without which the crusaders would not have been able to continue their journey eastward. Just as importantly, however, was the execution of Frankish military strategy. Their armies quickly adapted to Muslim tactics, and were careful to conduct battles with great strategic care. As a result of these converging elements, the First Crusade resulted in an extraordinary success for Christian armies.

In Fulcher of Chartres' account of the First Crusade, he writes: "Can there be anyone who does not marvel how we, a few people in the realms of so many of our enemies, could not only remain but could even thrive? Who has ever heard of such things? Here Egypt and Ethiopia, here Arabia and Chaldea and Syria, here Assyria and Medea, here Parthia and Mesopotamia, here Persia and Scythia, here, even, the great sea shut us off from Christianity."¹ What he may not have been aware of, however, was the rapid unraveling of Muslim political stability. In 1092 the Seljuk vizier, who had ruled over his empire for thirty years, was murdered. Only one month later, the sultan – Malikshah – died suspiciously, followed shortly thereafter by his wife, grandson and other influential leaders. In 1094 the Fatimid Empire experienced two notable deaths as well, as both the caliph and vizier died within a short time of one another.

As intra-family rivalries boiled to the surface, Muslim political divisions became much more pronounced. A great deal of the Near East began to fragment, and the power of these Islamic empires declined exponentially. Effort and resources were devoted to these quarrels, all of which could have been more productively used to blunt the Christian threat. Additionally, this power vacuum propagated the existing Sunni-Shiite schism. The differences between sects were only exacerbated, as the lack of political unity encouraged individual leaders to embrace religious zealotry. Indeed, the Fatimid Shiites and Seljuk Sunnis were

such vehement opponents that they would have rather allied with Christians than with each other.

Yet, it was Seljuk weakness that influenced the First Crusade most heavily. The Seljuk Empire was in the best position to fend off the imminent Christian threat – both geographically and militarily. After the death of Sultan Malikshah, his sons engaged in a battle for succession that lasted until 1105. Not surprisingly, this conflict both distracted the Seljuks from their Christian enemies and consumed a significant portion of their available military resources. Although the quarrel was centered in western Persia, its repercussions extended well into Anatolia, Syria and the eastern Mediterranean coast. While the Seljuk sultans did send armies to combat the invading Franks, their effort was half-hearted and their available resources scant. Unlike Alp Arslan at Manzikert, the sultans never led any of the armies themselves – they were too concerned about leaving their seats of power undefended. By losing themselves in domestic power struggles, the Seljuks were unable to dedicate the necessary effort to quelling the Frankish threat – a mistake that ultimately cost them victory during the First Crusade.

Another crucial factor was the aid of Alexios Komnenos and his powerful Byzantine Empire. Without its vast resources, the First Crusade would not have been able to launch even a preliminary assault on eastern Seljuk forces. Fulcher of Chartres writes that: “It was necessary for all to confirm friendship with the Emperor, without whose counsel and aid we could not have completed our journey, nor could those who were to follow us on that same road.”² When the Frankish armies were traveling eastward, Alexios was generous in lending support. He arranged for local markets to provide the crusaders with food once they reached his western territories, and when Hugh of Vermandois was shipwrecked in the Mediterranean it was a Byzantine governor who came to his rescue. The crusaders arrived at Constantinople in 1096-7, beleaguered by their long journey. Alexios generously provided them with provisions, securing suburban markets and fixing prices at which they could purchase foodstuffs. Moreover, Alexios’ generosity extended beyond the necessary provisions, as he provided a supply of fresh horses for the visiting crusaders. Fulcher of Chartres notes that, “The Emperor himself offered as many coins and silken garments as he pleased; also some horses and some money, which they needed to complete such a great journey.”³ It is important to remember that, given the tremendous scale of the crusading armies, such provisioning could not have been an easy task. Nevertheless, Alexios went out of his way to aide his fellow Christians.

After transporting the Frankish armies across the Bosphorus, Byzantine troops accompanied the crusaders to Nicaea. The city was

important for three reasons: not only was it a capital of Seljuk Anatolia, but it occupied a strategic position on both a major waterway and land route to the Levant. The siege of Nicaea became their first proper military objective, and the Byzantines played an invaluable role in helping secure victory. Not only did Alexios provide the crusaders with foot soldiers and military advisers, but the Emperor also organized the construction of siege machines and weaponry. Still, victory was only assured once a Byzantine fleet had cut off Nicaean support from the sea. According to *The Alexiad*:

The great strength of its walls, he [the Emperor] was sure, made Nicaea impregnable; the Latins would never take it. But when it was reported that the sultan was bringing strong forces and all necessary food supplies across the lake, with no difficulty at all, and these were finding their way into the town, he determined to gain control of the lake. Light boats, capable of sailing on its waters, were prepared, hoisted on wagons and launched on the Kios side. Fully armed soldiers were put on board, under the command of Manuel Boutoumites. In order that they might seem more numerous than they really were, the emperor gave them more standards than usual – and also trumpets and drums.⁴

Although *The Alexiad* is necessarily biased toward the Byzantines, other accounts confirm the integral role that Alexios played in the capture of Nicaea. Even after this major objective had been achieved, the Emperor continued to lend advice and support to the crusading armies. He sent one of his most trusted generals, along with an expeditionary force, to help guide the Franks toward Antioch. Not only did these Byzantine troops lend military support and counsel, but they acquired Armenian guides to lead them through Seljuk territory. The crusaders were dependent upon Byzantine aid until they reached Antioch, and even then it can be argued that Alexios continued to proffer help. “While these events were taking place at Antioch, the emperor was very eager to bring help personally to the Kelts, but the despoiling and utter destruction of the towns and of the coastal regions held him back, despite his impatience,” wrote Anna Komnene.⁵ After having initially marched to rescue the crusaders at Antioch, Alexios was convinced by deserting crusaders that all hope was lost for the besieged Christian army. Although prudence dictated that he turn back from Antioch, Alexios maintained that he had genuinely been prepared to continue the fight on the crusaders’ behalf.

The First Crusade’s success, however, was not only a product of external circumstance. From a purely military perspective, the crusading

armies tended to wage very well-conceived battles. They were quick to recognize Muslim tactics, and wasted little time before changing theirs accordingly. During these first years, the crusaders often fought for limited objectives. “Settled as they were on the fringe of Muslim Asia, they could never hope to overwhelm the whole strength of Islam,” argued R.C. Smail. “Conquests and settlement involved domination of the land and its inhabitants, and to be continuously effective such domination needed to be based on castles and walled towns.”⁶ To what extent this realization was prompted by their Byzantine allies can be questioned, however. In *The Alexiad*, Anna Komnene writes, “The Kelts themselves, remembering the emperor’s instructions, did not pursue them very far, but occupied the Turkish entrenchment and regrouped there for a short time.”⁷ Either way, it seems that the Franks often allowed prudence to dictate their military strategy.

In much the same way, this military restraint extended to the battles themselves. The crusaders were aware of both their strengths and limitations and tried to maximize their odds in battle by refraining from excessive offensive action. They often withstood heavy archery and feigned retreat, refusing to disseminate from their principal formation. The Christians understood that in order to defeat the Seljuks – who were notably swift on horseback and accurate archers – they had to mass tightly together and not allow the Muslims to penetrate their line. Another aspect of this defensive strategy was to avoid encirclement by Seljuk forces. Accordingly, it was of the utmost importance to guard their flanks – something that they did increasingly well by seeking natural barriers around which to fight. “Bohemond wanted to keep the enemy army, which had spread around, from encircling ours as if in some kind of circus spectacle, and thus, having enclosed our force, threaten death on all sides. In this manner, the foresight of the Christian leaders denied permission to the burning spirits of the young men to go forth into battle lest the rashness of a few undermine the order of the whole force,” wrote Ralph of Caen.⁸

Another element of crusader strategy was their deployment of heavy cavalry. “The shock of its force, the impact of the iron-clad knights, was irresistible. The result of the battle was often decided during the first encounter, unless the opponent could move forward reinforcements or its flanks could close and attack the assaulting army.”⁹ “Once already, the Turks had gathered in force and had prepared either to break the blockade if they could, or to better fortify the city with their soldiers. But repulsed fiercely by our men, almost two hundred of theirs were killed. When they had seen the Franks so furious and mighty in strength, they fled into the interior of Romania, until they should feel that the time was opportune to attack them,” claimed Fulcher of Chartres.¹⁰ In

large part, the crusaders were able to effectively harness these strategies because of competent military leadership. On several occasions before reaching Antioch, Bohemond proved himself a capable leader. On each occasion he used the terrain to his advantage and successfully prevented encirclement by the Muslims, ultimately leading to crusaders' victory. Smail goes so far as to call Bohemond one of the great military leaders of his day. At one point in *The Gesta Tancredi*, Ralph of Caen asserts, "Duke Godfrey was a man totally devoted to war and to God. He gave up nothing to Hector in fervor, in strength, in will or in spirit."¹¹ This compliment is of the highest order and likely reflects popular crusader opinion about the Duke. Other such accolades abound, and it seems clear that the Franks were fortunate to have a number of skillful officers amongst their ranks.

Although not as easily gauged, religious conviction also seems to have played a role in Frankish success. Many of the crusaders – both knights and footmen – genuinely believed that they were fulfilling the will of God. Their unwavering belief in the moral rectitude of the crusade, as well as in God's protection, must have helped them persevere through the challenges they faced. The crusading armies were renowned for their bravery, and their ferociousness in battle can be partly attributed to immense faith. "The Lord does not give victory to the pomp of nobility nor to brilliance in arms, but out of pity He aids the pure in heart who are fortified by divine strength in time of need. Therefore the Lord, perhaps pleased with our supplication, little by little restored vigor to us, and more and more weakened the Turks," suggested Fulcher of Chartres.¹² This passage is representative of many crusader histories; they tended to ascribe victory to their belief in God – a conviction that doubtless inspired them with courage and fighting zeal.

When the crusaders embarked on their journey to the Levant, they were unknowingly preceded by a series of fortunate occurrences. Political stability in the Seljuk and Fatimid empires had recently disintegrated, and infighting allowed them to escape the brunt of Muslim resistance. Along the way, the crusaders were given indispensable aid by the Byzantine Emperor Alexios, who provided the warriors with foodstuffs, military provisions and valuable reinforcements. To the crusaders' credit, they quickly adapted to Muslim military strategy and wasted little time before changing their tactics accordingly. The Franks also seem to have been blessed with capable leaders, who fought with religious vigour and ensured that their strategy was properly executed. As these strands collided, the First Crusade enjoyed a great deal of success.

¹ Fulcher of Chartres, in *The First Crusade: The Chronicle of Fulcher of Chartres and Other Source Material*, trans. Edward Peters (Philadelphia: University of Pennsylvania Press, 1971), p. 25.

² *Ibid.*, p. 42.

³ *Ibid.*

⁴ Anna Komnene, *The Alexiad*, trans. E.R.A. Sewter (London: Penguin, 2009), p. 300.

⁵ *Ibid.*, p. 309.

⁶ R.C. Smail, *Crusading Warfare: 1097–1193* (Cambridge: University Press, 1956), p. 138.

⁷ Anna Komnene, *The Alexiad*, p. 306.

⁸ Ralph of Caen, *The Gesta Tancredi of Ralph of Caen*, trans. Bernard S. Bachrach and David S. Bachrach (Burlington, VT: Ashgate, 2005), p. 48.

⁹ Joshua Prawer, *The World of the Crusaders* (London: Weidenfeld and Nicolson, 1972), p. 131.

¹⁰ Fulcher of Chartres, in *The First Crusade*, p. 43.

¹¹ Ralph of Caen, *The Gesta Tancredi of Ralph of Caen*, p. 53.

¹² Fulcher of Chartres, in *The First Crusade*, p. 47.

The Religious Life for Twelfth-Century Holy Women: A Comparative Study of Christina of Markyate¹

Randall Pippenger

I. Introduction

“By an act of divine providence Auti and Beatrix took with them their dearest daughter Christina to visit our monastery of the blessed martyr Alban,” wrote the anonymous author of Christina’s *Life*. “Christina scratched the sign of the cross with one of her fingernails on the door so as to mark that in that monastery in particular she had stowed away her heart’s desire.”² Christina of Markyate lived during the first half of the twelfth century, and although the story from her childhood might be exaggerated, the author of Christina’s *Life* clearly intended for it to be prophetic.³ Christina’s *Life* was penned by a monk of St. Albans, and the monastery and its abbot, Geoffrey de Gorran, are an inescapable presence in the *Life*. Despite this, Christina’s monastic connections and aspirations are often curiously overlooked. Most books about twelfth-century female monasticism only briefly mention Christina, and no in-depth study of Christina’s relationship with monasticism has ever been written. Indeed, she is often simply described as a “recluse,” and historians enjoy focusing on her relatively short (and forced) phase as a hermit or anchorite. However, Christina was much more than a recluse; she was also a nun and a founder of a monastic community. It is in these dual roles of recluse and nun that Christina’s *Life*, though a product of hagiography, can tell us a great deal about organized religious life for women in the twelfth century.

Christina’s *Life* illustrates many of the most important themes of twelfth-century female monasticism. Perhaps most significantly, the circuitous evolution that Christina underwent from a recluse to the founder of a monastic community calls into question any strict dichotomy between eremitic and cenobitic religious lifestyles in the twelfth century and illustrates an interesting twelfth-century trend of the foundation of monastic communities by followers of the eremitical life. Of course, it is also an example of the normalization and regularization of religious experience favored by the Gregorian reformers of the twelfth century. Christina’s relationships with male religious figures, including Roger, the male followers in her priory, and the monks of St. Albans, demonstrate the complex and often tenuous relationship of twelfth-century holy women with their male counterparts. Finally, though the

story of Christina's childhood is dramatic, her background and social status are very representative of contemporary female monastics. Her general route to the convent was not unusual or atypical. What follows will largely be a comparative study of Christina's *Life* with other twelfth-century sources in an effort to analyze the experience of twelfth-century religious women. However, it will also demonstrate that far from being a straightforward *vita* of a visionary, reclusive, twelfth-century virgin, Christina's *Life* is also an extraordinary window into the options and struggles of holy women to find a place in the organized and male-dominated religious life of the early twelfth century.

II. Flexible Recluses and Nuns in the Twelfth Century

Eremitic forms of life are some of the more fascinating and alien examples of medieval piety to modern commentators, which perhaps explains the great amount of scholarly interest accorded to that particular aspect of Christina's life. Admittedly, anchorites and hermits played a very large role in Christina's career, and she went through her own early eremitic phase. After running away from her family and husband in Huntingdon, Christina spent two years at Flamstead with the anchoress, Aelfwynn.⁴ She then moved to the hermitage of Roger at Markyate where her cell "was no bigger than a span-and-a-half." For good measure, Roger blocked her cell by rolling a wooden log in front of the door so that Christina could not exit the cell without his help.⁵ While it is clear that Christina spent at least six years practicing some type of reclusive lifestyle, her eremitic experience does not neatly fit scholarly definitions of an anchorite or hermit.⁶ This fact, in combination with her ultimate transition to a nun and prioress, illustrates the fluidity of twelfth-century female religious experience.

According to Ann Warren, one of the foremost experts on English anchoritism, most anchorites freely chose to be publicly enclosed in a cell or small dwelling that was often attached to the parish church. They differed from hermits by taking vows of permanent stability, which were often reinforced by a ceremonial ritual, whereas hermits were generally free to move around the countryside. Also unlike hermits, anchorites were recluses who lived in the "heart of the community," and led oddly public existences in their urban settings.⁷ Indeed, Aelred of Rievaulx warned his sister in the *De Institutis Inclusionarum* against being a "scandalous gossip" and a "chatterbox" like most other anchorites. He lamented that "seldom nowadays will you find a recluse alone."⁸

However, the language of Christina's *Life* suggests that Christina did not really enter the anchoritic life by choice, and her career certainly did not follow the public and chatty model assumed by Aelred. On the contrary, it appears that Christina enclosed herself at Flamstead and

Markyate for the purposes of concealment from figures of authority rather than from religious fervor. When she reached Flamstead the anonymous writer claimed that she was “hidden out of sight.”⁹ After she joined Roger, the monk of St. Albans wrote, “At first they were haunted by the fear – and it was a deep one, and it spoilt their joy – that if by chance Christina were found in his company she might be snatched away on the orders of the bishop and handed over to her husband.”¹⁰ The fear ran so deeply that Christina was even concealed from Roger’s companions at Markyate until Beorhtred officially released her from her marriage vows. According to the *Life*, only Roger knew of Christina’s existence in his closet for several years.¹¹ Enclosing one’s self in a cell for the explicit purpose of hiding from someone was not a normal feature of anchoritic practice and represents a significant departure from the models of Aelfred and Warren.¹²

Of course, Warren’s description of a medieval anchorite is a sweeping generalization that attempts to describe anchoritic experience across several centuries. In the twelfth century, the position of an anchorite was not so well-defined or restrictive. The four principle “rules” informing anchoritic practice, at least in the English context, were written between 1160 and 1280.¹³ Ceremonial enclosure rituals were not common in the twelfth century, and there appears to have been very few legal ramifications associated with enclosure. One of the most well-known anchoresses of the early twelfth century was the mother of Guibert of Nogent. According to her son, she simply arrived at an abbey, “found an old woman,” and “began to gradually copy the severity of the older woman.”¹⁴ Guibert’s account of his mother’s choice was completely stripped of formality, and in this respect, closely resembles the description of Christina’s early decisions after fleeing from her husband and parents. Christina made no formal vow of enclosure, did not attempt to remain in the same cell, and relocated at least three times. Like Guibert’s mother, Christina seems to have simply “apprenticed” under Aelfwynn and Roger. The young Christina and Guibert’s mother clearly practiced some form of the eremitical life. However, they do not fit our neat definitions because those definitions, like so much else in the twelfth century, were just beginning to coalesce.

Eremitic and cenobitic forms of religious life are very similar in their approaches and ultimate goals.¹⁵ The basic difference between the two approaches to God centers on a debate about the relative merits of tackling the wilderness as a community versus walking the desert alone. Eremitic and cenobitic religious paths have been closely linked since the first unwanted followers of St. Anthony trudged out into the Egyptian desert after him. Any sharp distinction between the two is arbitrary and somewhat retrospective in the twelfth-century context. In this period, far

more than in later centuries, eremitic practice was still not formalized, and many anchorites and hermits formed communities or were even professed monastics. As Aelred of Rievaulx bemoaned, almost every twelfth-century example of a female eremite had company. Christina never lived a solitary existence, and Guibert's mother actually found the " anchoress" that she chose to imitate in a convent. The anchoress was "an old woman in the habit of a nun."¹⁶ Other monastics also doubled as eremites during Christina's lifetime. Roger himself was a monk of St. Albans who lived in a hermitage.¹⁷ In the late eleventh century Eva of Wilton was a nun at the abbey of Wilton before she journeyed to Angers to become a recluse at the church of St. Lawrence, where notably there was already an established community of anchoresses.¹⁸

Christina never seemed to view being a recluse as her permanent religious calling. Even when taking the retrospective quality of the *Life* into account, Christina spent nearly half of her life as a professed nun, and "put her neck under the yoke of obedience" in c. 1131.¹⁹ The progression from recluse to nun, from the eremitical to the cenobitical life, was not unusual in the twelfth century, although it would later become so.²⁰ Many of Christina's contemporaries believed such a progression was natural, and several thought it to be preferable.²¹ A twelfth-century canon of Liege stated, "We shall return to women who lead the eremitical life, rising to be holy nuns, and to those who sweetly take up the yoke of Christ, with holy men or under their guidance."²² He saw the eremitical lifestyle as preparation for the convent, and had no intellectual qualms in putting a discussion of anchoresses alongside that of nuns. In addition to Christina, many of the most well-known twelfth-century nuns began their religious careers as recluses. *The Book of St. Gilbert* (of Sempringham) stated that the women who eventually became the first nuns of the Gilbertine order started off as enclosed anchoresses in cells adjoining his parish church.²³ Hildegard of Bingen, undoubtedly the most famous female monastic of the twelfth century, also began her religious career as a child oblate in the anchorhold of Jutta of Spanheim, which was attached to the male monastery of Disibodenberg.²⁴ Hildegard only took the veil after the anchorhold had transformed into a convent under the leadership of Jutta several years later.

In an attempt to integrate the examples of Christina with that of Hildegard, the founding nuns of the Gilbertine order, among others, many scholars admit that the traditional dichotomy between monastics and recluses is not very applicable to the experience of religious women in the twelfth century. Such a statement can often be found in the introduction or conclusion of various works. However, despite the concession, scholars still organize their books around this inorganic division. Common chapter headings include "Hermits and Anchoresses"

and “The Eremitic Life,” which are contrasted with such titles as the “Order of Fontevrault” and “Female Monasticism in the South.”²⁵ Unfortunately, such a division leads to a lot of repetition because scholars find themselves equally incapable of discussing monasticism without mention of recluses, or eremites without reference to monastics. This is due not only to the fluid boundary between eremites and nuns, but also because many of the new twelfth-century female monastic foundations had eremitical origins.

III. The Eremitical Origins of Female Monastic Foundations in the Twelfth Century

In the early twelfth century, Abbot Geoffrey of Burton wrote the *Vita Sancte Moduene Virginis*, which was purported to be an account of a female saint from the Anglo-Saxon period. Despite the supposed setting of the *Vita*, Geoffrey’s Modwenna was much more of a twelfth-century holy woman than a ninth-century saint. Like many twelfth-century monastic founders, Modwenna spent a short time as a recluse before “her reputation grew to great heights and wonderful stories about her spread in all directions to the farthest parts of Ireland, so that noblewomen, queens, and maidens flocked to her.”²⁶ Most of the female foundations of the early Middle Ages that the actual Modwenna might have been familiar with had failed by the tenth century. However, during the twelfth century the opportunities for women to lead a religious life skyrocketed. Between 1130 and 1165 at least 85 new communities of women were founded in England alone.²⁷ Many of these communities developed around eremites like Christina and the Gilbertine nuns, as Geoffrey of Burton was undoubtedly aware.

Perhaps the most famous continental example of this twelfth-century trend is the founding of the Order of Fontevrault by Robert of Arbrissel. As both a hermit and an itinerant preacher in northern France during the last decade of the eleventh century, Robert’s charisma attracted a host of male and female followers. Unwilling to push them away, he eventually settled down and founded the monastery of Fontevrault in 1101 for both women and men.²⁸ Daughter houses of Fontevrault quickly spread throughout Europe, and the order is the great success story of twelfth-century female monasticism. Similarly, although it is not explicitly mentioned in the *Life* due to its damaged and unfinished condition, Christina’s community at Markyate officially became a priory of nuns in 1145, with her as the first prioress or *domina*.²⁹ In a rather oblique reference to that fact, the anonymous author did begin to call the women gathered around Christina “sisters,” rather than “maidens,” toward the conclusion of his account.³⁰

The foundation of monastic communities of eremitic origins was not unique to the twelfth century; however, it was particularly prominent during the period. Of course, the pure charisma of an itinerant preacher and a visionary virgin, combined with the true religious belief of their followers should not be underestimated. However, it is difficult to assess the effects of charisma and belief on individuals of our own time, and much less on individuals who lived eight centuries ago and who only exist in (often) esoteric texts. Certainly, the Gregorian Reforms had a decisive influence on monastic formation. One of the principle goals of the reformers was to create a clear demarcation between those inside and outside the Church.³¹ Unprofessed and unaffiliated holy people were a natural threat to ecclesiastic and monastic authority. In a letter to Heloise, Abelard's disdain for female followers of the eremitic life was palpable. "There can be no doubt that in shameless apostates such as these, excesses are criminal which in other men are venial. You should not permit yourselves to take example from such lives nor even to hear of them."³² The Second Lateran Council of 1139 addressed the existence of groups of unprofessed recluses in Canon 26, entitled "nuns should not live in private homes." The bishops were alarmed by the increasing number of women who "desired to be nuns," yet lived in unofficial hermitages and anchorholds.³³ Such women were often pressured to take monastic vows. Indeed, although Christina had supposedly desired the yoke of monastic obedience since childhood, she only made her profession after "the frequent pleading and humble sweetness of the abbot."³⁴

Many of the most prominent twelfth-century reformers, such as Bernard of Clairvaux, believed that the monastic life was among the highest possible callings from God. Their writings were suffused with communal and monastic language. Reading the *Ancrene Wisse*, an early thirteenth-century rule for anchoresses, makes it easier to understand the effortless transition of many eremites like Roger of Arbrissel and Christina to the monastic life. The *Ancrene Wisse* unambiguously described the proper behavior of anchoresses in communal and monastic terms. Addressing the anchoresses of England, the author stated, "Each of you is turned towards the other in one way of living, as if you were a single community of London and of Oxford, of Shrewsbury or of Chester, where all are united in one common way of life, and without singularity, which is individual waywardness, a shameful thing in the religious life, because it disrupts the unity and common way of life that there should be in an order."³⁵ It was certainly no coincidence that established monasteries, especially in England, helped several different groups of female eremites establish their communities.³⁶

Although the monastery of St. Albans was not legally connected to Christina's priory at Markyate, it was involved in the foundation of several similar communities during the twelfth century, including the convent at Sopwell. According to the *Gesta Abbatum*, Abbot Geoffrey founded this community of nuns after being attracted by the holy and eremitical lifestyle of two women living in rough shelters at Eywood.³⁷ Additionally, a community of nuns existed in Flamstead by at least 1163 when the convent received a papal bull. While there is no direct evidence to link this community with Aelfwynn, the Flamstead anchoress that Christina lived with for two years, it is surely no coincidence. Unfortunately, the origins of the community at Flamstead are completely lost, and our evidence is circumstantial. However, its dedication to *St. Giles in the Wood* could be yet another indication of an eremitic origin.³⁸ The communities of Crabhouse and Wiggenhall in Norfolk, as well as Kilburn in Middlesex are three other English examples of convents coalescing around female eremites during Christina's lifetime. Indeed, the case of Kilburn follows Christina's pattern almost exactly. Upon the death of a hermit named Godwyn, his hermitage passed to three maidens – Emma, Gunilda and Christina. Like Christina, they attracted other women and ultimately converted Godwyn's hermitage into a female community with the assistance of Westminster Abbey.³⁹

IV. Male and Female Monastics in the Twelfth Century: A Power Dynamic

Whether in double monasteries or in affiliated daughter houses, male and female monastics were in continuous contact throughout the twelfth century. While it is easy to fall into the trap of arguing that the gender divide principally caused animosity and discrimination, the truth is much more complicated. As Abelard told Heloise, "In name and profession of continence you are one with us, so nearly all of our institutions are suitable for you."⁴⁰ Christina of Markyate's evolving relationships with male monastics illustrates a more traditionally male-dominated power dynamic, while also revealing an independent streak typical of the Order of Fontevrault. As should be expected, the nature of relations between monastic women and men was not constant or ubiquitous throughout the twelfth century. Each individual relationship was somewhat different. For example, the male leaders of the monasteries discussed in the previous paragraph established their own unique relationship with the women under their sponsorship. Certainly, Abbot Geoffrey of St. Albans had a very different sort of relationship with Christina than he did with the nuns of Sopwell.

Geoffrey's interaction with the Sopwell nuns was far more "traditional" than his "special friendship" with Christina might suggest.

The charter of foundation he authored for the Sopwell nuns commanded them to remain enclosed and stressed the importance of their virginity.⁴¹ In contrast, his bond with Christina was much less formal and far friendlier. The interaction of male and female monastics was not always a negative experience for women. Male monastics could offer communities of women protection and patronage. Christina and Geoffrey's relationship illustrates the material benefits that women could accrue through association with men. The *Gesta Abbatum* recorded that "the abbot constructed the place of the nuns of Markyate from its foundations, giving it rents and tolls from various places for the sustenance of Christina, his beloved." However, the monks of St. Albans "murmured over such expenses and grants."⁴² Indeed, Geoffrey's display of affection towards Christina and his frequent visitations were unusual and occasioned a great amount of speculation about the amorous quality of their relationship.⁴³

In the more traditional power structure, female monastics were expected to be obedient to their male superiors, and males were always superior. Abelard sums the idea up quite nicely in a letter to Heloise. According to him, "monk and lay monks, like the apostles and deacons, shall perform for convents of women such duties as call for outside assistance." Furthermore, "all external affairs should be conducted for the women through men of the same religious life."⁴⁴ He then quoted the eleventh article of the centuries-old Council of Seville, which ordered, "We have decreed that the convents of nuns in the Baetic province shall be ruled through the ministrations and authority of monks."⁴⁵ The Council of Seville also illustrates another traditional concern of monks – fear of the temptation and corrupting influence of being among women. The eleventh article, as quoted by Abelard, continued, "Access should be rare and speech brief. God forbid the unmentionable – that we should wish the monks to be familiar with the virgins of Christ; they must be kept separate and far apart."⁴⁶

These were not just the quirky concerns of a deviant theologian and a gaggle of celibate bishops, but widespread beliefs about the proper relationship between women and men, as well as the basic nature of women themselves. For example, one of the accusations made by Christina's detractors was that she was a "worldly-wise businesswoman."⁴⁷ Even the Gilbertines, an order that was primarily concerned with female monasticism in the twelfth century and arguably among the most "forward-thinking" of the religious orders, were not immune from these beliefs. The Gilbertines developed a very segregated, "separate but equal" model of dual monasticism by the end of the twelfth century. While the Gilbertines allowed their prioresses to run their own nunneries and attend general chapter meetings, they were

completely closed off from the men. Even at the meetings of the general chapter, the prioresses were hidden by a screen.⁴⁸ The strictness of the Gilbertines was at least partially a result of the “nun of Watton” scandal in the 1160s, which only confirmed misogynistic beliefs about the dangers of associating to closely with women. The nun of Watton had an affair with a lay brother that was uncovered by her monastic sisters when she got pregnant. The pregnancy itself was bad enough for the reputation of the dual monasteries Gilbert advocated. However, what followed made the event a scandal that is remembered over eight centuries later. According to Aelred, Gilbert sent some brothers to assault the fornicating layman. After they had accomplished their mission, the Gilbertine nuns forced the unwilling pregnant girl “to cut off the virus with her own hand,” a painful solution to say the least.⁴⁹ Christina’s sexual fantasies seem rather tame by comparison.

The early relationship between Roger and Christina illustrates many of these traditional twelfth-century themes. Roger was very concerned about cohabitating with Christina and only did so after two years of reflection. Initially, he was determined to not even look at her, although that quite naturally proved to be impossible.⁵⁰ What’s more, the *Life* presented Christina as the model of an obedient woman who precisely followed Roger’s instruction. Christina’s later relationships with monastic men, however, more closely resemble Hildegard of Bingen and the abbesses of Fontevault. Christina had always possessed an independent streak as evidenced by her flight from husband and family. The reappearance of it in her later life suggests that the obedient recluse described in the *Life* may never have existed. According to the *Life*, there were several men at the priory of Markyate – from servants to priests and monks who performed the divine offices. However, it is clear that none of these men exercised authority over Christina. Not even Abbot Geoffrey, her patron, friend and spiritual lover, appears to have sought or gained administrative control over Markyate. Perhaps the best piece of evidence for the independence of action Christina sought for herself and her nuns is found in the foundation charter granted by St. Paul’s. Although it gave St. Paul’s the right to confirm the appointment of a prioress, it also contained a specific provision which prevented the monks or clerks of St. Paul’s from altering the nuns’ way of life without their consent.⁵¹

Christina was not the only female monastic who did not strictly adhere to the standard expectations of her time. Hildegard of Bingen actively strove against the limitations placed on female monastics, and the abbesses of Fontevault inverted the entire structure. In 1136 Hildegard was elected as the abbess of the nuns at Disibodenberg. At that time, the nuns were subject to the monastery located in the village,

which was the perfect situation according to Abelard who said, “We want convents of women always to be subject to monasteries of men.”⁵² However, Hildegard moved her convent to Rupertsberg in 1150 and began a protracted legal struggle with the Abbots of Disibodenberg over access to patronage and patrimonial rights. The struggle was only resolved in 1163, when Hildegard received official protection from Emperor Frederick Barbarossa.⁵³ The Order of Fontevrault was singular because it placed women in positions of authority over men. The first two clauses of the brothers’ rule emphasized their subordinate position and instructed them to be happy with what the sisters gave them.⁵⁴

As the twelfth century progressed it was increasingly difficult for the abbesses of Fontevrault to satisfy their male brothers. In 1118, Pope Gelasius II forbade other religious orders from admitting the brothers of Fontevrault. Again in 1144, Pope Lucius II instructed bishops to force runaway brothers back into monastic discipline, and pleaded with the brothers to honor their vocation.⁵⁵ The Order of Fontevrault was definitely the exception to the rule, but even the exception had its share of difficulties. Like domestic lay society, men were placed above women in monastic life. Such a weak position placed twelfth-century nunneries at risk. Protection could easily turn into extortion, and nuns could not prevent male communities from abandoning them. For example, in 1138 Pope Innocent II reprimanded the Praemonstratensians for not providing for the welfare of the sisters out of common endowments. Shortly thereafter, and perhaps in response, the head of the order suppressed double monasteries, requiring the nuns to find new homes that had no endowments. Finally, in 1197 the general chapter decided to admit no more women, and official Praemonstratensian nuns disappeared.⁵⁶ Throughout the entire process, the nuns had absolutely no control over their fate.⁵⁷ Christina was able to carve out a niche of independent action in a female priory, but she did not possess the authority to command fellow male monastics. St. Paul’s charter indicates that Christina, like Hildegard and several other twelfth-century abbesses and prioresses, attempted to maintain a delicate balance between deference and obedience to male monastic figures and the ability to govern her own household.

V. Economic and Social Considerations in Twelfth-Century Convents

Finally, Christina’s *Life* can also tell us a great deal about the economic and social background of many twelfth-century nuns. One of the reasons that Christina, Hildegard, and the early abbesses of Fontevrault were able to take any independent action at all was due to the social status of their families. In general, the families of girls who

entered nunneries and priories during the twelfth century were normally required to supply a dowry.⁵⁸ The practice was so prevalent that the Fourth Lateran Council of 1215 claimed, “The stain of simony has so infected many nuns that scarcely any are received as sisters without a price.”⁵⁹ Of course this meant that most nuns were from aristocratic or knightly families. Few lower-class women were admitted, and fewer still rose to positions of authority within the convent. Hildegard defended this practice, asking a skeptical Abbess of Andernach, “What man would keep his whole flock in a single pen? There should be discrimination; otherwise, if different people are congregated together, the flock may be rent asunder through the pride of those who are socially superior and the shame of those who are of different degree; for God differentiates between people both on earth and in heaven.”⁶⁰ The social position of Christina’s family certainly matches these criteria. Christina’s parents were local members of the gentry in Huntingdon. In the *Life*, her father is described as a “friend” of Ranulf Flambard, who was arguably the richest and most powerful subject of William Rufus.⁶¹ Furthermore, their friendly relationship with the bishop of Lincoln, and their ability to kill the man who helped Christina escape with impunity, are suggestive of the relative social position of the family.⁶²

Family was very important to twelfth-century religious women, which is not always readily apparent if one reads only about visionaries and mystics. Like Hildegard, parents often placed girls in convents and anchorholds close to home so that they could visit more often. Of course, as presented in the *Life*, Christina’s family situation was dramatic and certainly not normal; however, the end result was very typical. Christina’s brother became a monk at St. Albans, who often performed the divine services for Christina, and her sister and mother joined her at the priory in Markyate. Such arrangements were very common in the twelfth century. Several members of a family would often join the same monastery, sometimes at the same time. Famously, Bernard of Clairvaux brought almost every male family member into the Cistercian order when he made his vows. The mother of Guibert of Nogent brought Guibert, his older brother, as well as three members of the domestic staff with her into the abbey church of St. Germer-de-Fly.⁶³ Elisabeth of Schonau’s family is perhaps exceptional in this regard. For at least two generations her family dominated the double monastery at Schonau. Her brother Ekbert was the abbot of the monastery while Elisabeth was the abbess of the nuns. They were succeeded in their positions of abbot and abbess by Elisabeth’s nephew and sister, respectively.⁶⁴

Perhaps obviously, not all religious women were virgins in the twelfth century. Although the writer of Christina’s life insists on her virginity, many women in twelfth-century nunneries were married or

widowed just like Christina. Many like Petronilla, the first abbess of Fontevrault, rose to positions of authority inside the convent. In a study of late eleventh- and early twelfth-century nunneries in France, Verdon found that thirty percent of the women at Roncerey, twenty-five percent at Holy Trinity in Caen, and over half of the women at Marcigny (a notably aristocratic foundation where the daughter of William the Conqueror took the veil) were previously married or widowed.⁶⁵ Convents (and monasteries to a lesser extent) were viewed as an acceptable and convenient exit strategy for social failures and losers of the marriage game. As with Christina's family situation, although the runaway bride gambit was somewhat unusual, her ultimate settlement in a priory was not.

VI. Conclusions

More than anything else, Christina's *Life* illustrates the evolution of the female religious life that occurred during the twelfth century. The twelfth century was an age of great change and reform. Venarde has criticized scholars who maintain that the Gregorian reforms were damaging to the status and options of women, pointing out that the number of communities of women exploded between 1070 and 1170.⁶⁶ However, Venarde is drawing his conclusions from the wrong time span (perhaps a close reading of Christina's *Life* would have assisted him). The full effects of the reforms were not felt by religious women until the end of the century. As Christina's *Life* makes abundantly clear, at the beginning of the twelfth century eremitism was vaguely defined and not completely incorporated into the structure of the Church. In many cases, the difference between an anchorite and a nun were miniscule. During the course of the twelfth century, increasing pressure was put on female eremites to make monastic professions, while the eremitic life was simultaneously being incorporated into official orthodoxy with the formulation of rules, ceremonies, and vows. It would have been infinitely more difficult for Christina to have abandoned her husband by entering an anchorhold and eventually transform herself into a prioress from 1220 to 1245 than it was from 1120 to 1145. This is not meant to imply that the quality of life of nuns was worse or that religious experience available to all women was less varied in the thirteenth century. However, the careers of eremitic and monastic women were better regulated in the thirteenth century than during Christina's lifetime due to the success of the Reform movement.⁶⁷ Christina's *Life* is far more than the story of a visionary virgin. From the spoiled daughter of a wealthy family to a recluse, from an obedient recluse to a nun, and from a nun to a semi-autonomous prioress – Christina's *Life* is a

demonstration of the struggles and options of a twelfth-century woman following the religious life.

¹ I have purposely avoided discussing Christina's visionary experiences. I believe that the subject is slightly beyond the scope of this paper, and it certainly merits a separate paper.

² *The Life of Christina of Markyate*, ed. C.H. Talbot, Samuel Fanous and Henrietta Leyser (New York: Oxford University Press, 2008), p. 5.

³ While the exact birth and death dates of Christina are unknown, Leyser believes that Christina lived from c. 1096 – c. 1160. Henrietta Leyser, "Introduction," in *Christina of Markyate: A Twelfth Century Holy Woman*, ed. Samuel Fanous and Henrietta Leyser (New York: Routledge, 2005), p. 1.

⁴ *The Life of Christina*, p. 38.

⁵ *Ibid.*, p. 40.

⁶ The following few pages will mostly address anchorites because Christina is rarely labeled as a hermit. As a group, hermits were dominated by men. Between 1150 and 1200, no evidence of a female hermit in England has been discovered. Furthermore, hermits did not usually engage in stationary physical enclosure (which would have made them anchorites), while Christina certainly did. The scholars that do label Christina as a hermit often describe hermits as engaging in a "less structured" form of eremitical lifestyle. However, as I hope the next few paragraphs demonstrate, early twelfth-century anchoritism was not exactly structured either. See, Janet Burton, *Monastic Orders and Religious Orders in Britain 1000-1300* (New York: Cambridge University Press, 1994), pp. 87-91; and Sharon K. Elkins, *Holy Women of Twelfth-Century England* (Chapel Hill: University of North Carolina Press, 1988), pp. 145-51.

⁷ Ann Warren, *Anchorites and their Patrons in Medieval England* (Berkeley: University of California Press, 1985), p. 7. In her words, anchorites were "enclosed and yet exposed, hidden and yet visible...Once having entered the cell they could not retreat. Solitary by choice, they became solitary by law."

⁸ Aelred of Rievaulx, *De Institutis Inclusionarum*, in *The Works of Aelred of Rievaulx Volume I*, ed. David Knowles (Spencer, MA: Cistercian Publications, 1971), pp. 46-7.

⁹ *The Life of Christina of Markyate*, p. 34.

¹⁰ *Ibid.*, pp. 41-2.

¹¹ *Ibid.*

¹² In a further note, it is clear from the *De Institutis* that Aelred would not have viewed Christina's latter years with approval and would certainly not have considered her a recluse. His rule was almost a point-by-point repudiation of Christina's final years. Aelred instructed his sister to not receive guests, to have only one "old" servant, to remain silent, to show no concern for financial needs, and to not see anyone on a consistent basis without witnesses, particularly, an abbot. Christina did all of these things. See, Aelred of Rievaulx, *De Institutis Inclusionarum*, pp. 47-52.

¹³ Warren, *Anchorites and their Patrons in Medieval England*, pp. 106-7. The four rules include Aelred of Rievaulx's *De Institutis Inclusionarum* and the *Ancrene Riwe* for women, as well as the Dublin Rule and Walter's Rule for men.

¹⁴ Guibert of Nogent, *De Vita Sua*, Book I, Chapter 14, in *A Monk's Confession: the Memoirs of Guibert of Nogent*, trans. Paul J. Archambault (University Park: Pennsylvania State University Press, 1996). See also, Anneke B. Mulder-Bakker, *Lives of the Anchoresses: The Rise of the Urban Recluse in Medieval Europe*

(Philadelphia: University of Pennsylvania Press, 2005), pp. 24-50. In an interesting side note, Guibert never actually revealed his mother's name.

¹⁵ Burton, *Monastic and Religious Orders in Britain 1000-1300*, p. 91.

¹⁶ Guibert of Nogent, *De Vita Sua*, Book I, Chapter 14.

¹⁷ *The Life of Christina of Markyate*, p. 28.

¹⁸ For further information on Eva of Wilton see the eleventh century writings of Goscelin of St. Bertin. His book to Eva anticipates many of the later "rules" written for recluses, although Goscelin's book does remind one of Abelard's attempts to remain stoic despite his love for Heloise. Goscelin of St. Bertin, *Liber Confortatorius*, trans. Monika Otter (Cambridge: D.S. Brewer, 2004). See especially, Otter's excellent introduction.

¹⁹ C.H. Talbot, *The Life of Christina of Markyate, A Twelfth Century Recluse* (New York: Oxford University Press, 1959), p. 15. See also, *The Life of Christina of Markyate*, eds. Fanous and Leyser, p. 63.

²⁰ Bruce Venarde, *Women's Monasticism and Medieval Society: Nunneries in England and France, 890-1215* (Ithaca: Cornell University Press, 1997), pp. 133-169. See also, Elkins, *Holy Women of Twelfth-Century England*, p. 151.

²¹ Most notable among those who believed the monastic life to be preferable to the eremitic was Elisabeth, a twelfth-century visionary and Abbess of Schonau. In her *The Book of the Ways of God*, she declared the reclusive life to be "the hardest kind of life," and that recluses fail in their quest to be holy more often than others. Elisabeth of Schonau, *The Complete Works*, trans. Anne Clark (New York: Paulist Press, 2000), p. 166.

²² *Libellus de Diversis Ordinibus et Professionibus qui sunt in Aecclesia*, ed. Giles Constable and Bernard Smith (New York: Oxford University Press, 1972), p. 5.

²³ *The Book of St. Gilbert*, eds. R. Foreville and G. Keir, (New York: Oxford University Press, 1987), p. 32. See also, Sally Thompson, *Women Religious: The Founding of English Nunneries after the Norman Conquest* (New York: Clarendon Press, 1991), p. 73.

²⁴ Godfrey and Theodoric, *Vita Sanctae Hildegardis*, in *Patrologia Latina* 197, ed. J.P. Migne (Paris: Garnier, 1897); and *Vita domnae Juttae inclusae*, ed. Franz Staab, in *Reformidee und Reformpolitik in spatsalisch-fruhstaufischen Reich*, ed. Stefan Weinfurter, (Mainz, 1992). Theodoric claimed that Hildegard went immediately into the anchorhold as a child, but the anonymous *Life* of Jutta stated that Jutta did not enclose herself until 1112, when Hildegard was 14.

²⁵ Thompson, *Women Religious*, ch. 2 and 7. Elkins, *Holy Women of Twelfth-Century England*, ch. 2 and 3.

²⁶ Geoffrey of Burton, *Life and Miracles of St. Modwenna*, ed. Robert Bartlett (New York: Clarendon Press, 2002), p. 19.

²⁷ C.H. Lawrence, *Medieval Monasticism: Forms of Religious Life in Western Europe in the Middle Ages*, 2nd ed. (New York: Longman, 1989), pp. 218-19. Elkins, *Holy Women of Twelfth-Century England*, p. xiii.

²⁸ The two *vitae* of Robert of Arbrissel by Andreas and Baudry of Dol are located in *Patrologia Latina*, Vol. 162, pp. 1043-1078. See also, Bruce L. Venarde, *Women's Monasticism and Medieval Society*, pp. 57-9.

²⁹ *Early Charters of the Cathedral Church of St. Paul's, London*, ed. Marion Gibbs, Camden Society 3rd series, lviii, (London, 1939), no. 154, p. 120. Markyate was sponsored by St. Paul's rather than St. Albans because St. Paul's actually owned the land on which Markyate was located.

³⁰ *The Life of Christina of Markyate*, p. 81.

³¹ As the previous section should indicate, the reformers succeeded in creating such a demarcation in the minds of modern scholars with far greater ease than they did in the twelfth century.

³² Peter Abelard, *The Letters of Abelard and Heloise*, trans. Betty Radice and M.T. Clanchy (New York: Penguin Books, 2003), p. 142. Of course, Abelard was not the greatest model of orthodoxy. However, he should still be considered a “reformer,” in the sense that he supported most aspects of the Gregorian Reforms.

³³ *Sacrorum conciliorum nova et amplissima collection*, Vol. 21, ed. J.D. Mansi (Venice: 1775), p. 533.

³⁴ *The Life of Christina of Markyate*, p. 63.

³⁵ *Ancrene Wisse: Guide for Anchoresses*, ed. Bella Millett (Exeter: University of Exeter Press, 2009), pp. 96-97

³⁶ In this, I am following the logic of Sally Thompson, *Women Religious*, pp. 54-82. C.F. Bruce Venarde, *Women’s Monasticism and Medieval Society*, pp. 84-5. Venarde only really disagrees with the above statement by degree.

³⁷ *Gesta Abbatum Monasterii Sancti Albani*, Vol. I, ed. T.H. Riley (London: Rolls ser. 49, 1867), pp. 80-2.

³⁸ Thompson, *Women Religious*, p. 28.

³⁹ *Monasticon Anglicanum*, Vol. 3, ed. W. Dugdale, J. Caley, H. Ellis, and B. Bandinel (London: 1846), no. 1, p. 426. See also, Thompson, *Women Religious*, pp. 23-31.

⁴⁰ Abelard, *The Letters of Abelard and Heloise*, p. 131.

⁴¹ Stephanie Hollis and Jocelyn Wogan-Browne, “St. Albans and Women’s Monasticism,” in *Christina of Markyate: A Twelfth-Century Holy Woman*, p. 42.

⁴² *Gesta Abbatum*, Vol. 1, p. 102.

⁴³ Such rumors were persistent enough that the anonymous author of Christina’s *Life* felt compelled to vehemently deny the accusations at several points in the narrative. See *The Life*, p. 78, for an example.

⁴⁴ Abelard, *The Letters to Abelard and Heloise*, p. 155.

⁴⁵ *Ibid.*, p. 156.

⁴⁶ *Ibid.*

⁴⁷ *The Life of Christina*, p. 78.

⁴⁸ Lawrence, *Medieval Monasticism*, pp. 226-7.

⁴⁹ Aelred of Rievaulx, in Giles Constable, “Aelred in Rievaulx and the Nun of Watton: An Episode in the Early History of the Gilbertine Order,” in *Medieval Women*, ed. Derek Baker (Oxford: Basil Blackwell, 1978), p. 208.

⁵⁰ *The Life of Christina*, p. 39.

⁵¹ *Early Charters of the Cathedral Church of St. Paul’s, London*, no. 154, p. 120.

⁵² Abelard, *The Letters of Abelard and Heloise*, p. 156.

⁵³ Mark Atherton, “Introduction,” *Selected Writings of Hildegard of Bingen* (New York: Penguin Books, 2001), pp. lii-liii.

⁵⁴ *Patrologia Latina*, Vol. 162, (1889), pp. 1081-2.

⁵⁵ *Ibid.*, Vol. 163, p. 504, and Vol. 179, p. 865. See also, Thompson, *Women Religious*, pp. 113-132.

⁵⁶ Lawrence, *Medieval Monasticism*, pp. 222-3.

⁵⁷ Bruce Venarde points out that only about one-fourth of female religious communities in England and France were directly associated with a “male-centered” religious order. However, this statistic is rather arbitrary because it eliminates consideration of Gilbertine nuns, who were certainly not powerful in the general chapter of the order. Furthermore, such a limited definition also excludes communities like

Markyate who were associated with male monastic communities, but who followed the Benedictine or Augustinian Rule. See, *Women's Monasticism and Medieval Society*, p. 54.

⁵⁸ Lawrence, *Medieval Monasticism*, p. 217.

⁵⁹ *Sacrorum conciliorum nova et amplissima collection*, Vol. 22, p. 1051.

⁶⁰ Hildegard of Bingen, *Epistolae*, *Patrologia Latina* 197, pp. 337-8.

⁶¹ *The Life of Christina of Markyate*, p. 7.

⁶² *Ibid.*, p. 37.

⁶³ Guibert of Nogent, *De Vita Sua*, Book I, Ch. 15.

⁶⁴ Anne L. Clark, in *The Complete Works of Elisabeth of Schonau*, p. 264, note 323.

⁶⁵ J. Verdon, "Les moniales dans la France de l'Ouest aux XI et XII sieles," in *Cahiers de civilization medieval*, 19.3 (1976): 247-63. See also, Lawrence, *Medieval Monasticism*, pp. 219-20.

⁶⁶ Venarde, *Women's Monasticism and Medieval Society*, pp. 57-8.

⁶⁷ Elkins, *Holy Women of Twelfth-Century England*, pp. 150-60; and Venarde, *Women's Monasticism*, pp. 133-69.

Inquisitio and Historical Construction in the Valley of Mexico, 1521-1571

Andrew Collings

The history of the physical and spiritual conquest of the Mexica during the first decades of colonial New Spain, though the subject of a rich body of scholarly work, is based largely off a relatively small collection of contemporary sources. The most notable of these include Cortés' letters to Charles V from 1519-1526, detailing and justifying his conquest of the Mexica; Motolinía's *Historia de los Indios de la Nueva España*, written around 1540 and detailing the events he observed as one of the Franciscan Twelve; legal documents, treatises, and administrative correspondence from both Spain and New Spain; and the collected correspondence of Franciscan missionaries, particularly those of Juan de Zumárraga, Bishop of Mexico from 1528-1548.¹ Though equally fascinating in their own right, because of the intentions and agendas of the authors and the nature of the texts themselves, these sources present quite a one-sided picture of the world in which they were written. Most noticeably absent from their pages are the voices of thousands of indigenous persons who experienced the 1521 Conquest, engaged with missionary friars and lay Spaniards on a daily basis, and, in the case of Mexica leaders, were instrumental to the proper functioning of Spanish authority in the colony. Sources in Nahuatl, the pictographic written language most prominent among the natives of central Mexico, have not survived, owing primarily to the missionary zeal in destroying all vestiges of pre-Hispanic culture.² The alphabetization of Nahuatl in the late 1540s and the subsequent development of multi-lingual ethnographies (particularly Sahagún's *Historia General de las Cosas de Nueva España*, also known as the *Florentine Codex*) have provided historians with a much larger body of indigenous-centered material; such accounts, however, primarily reveal internal native dialogues and interactions between Mexica and Spaniards only after the middle of the sixteenth century.³

Given the small number of contemporary accounts from the early period of colonial New Spain, it is surprising that scholars have not made better use of another group of documents that may shed more light on the political and religious situation of colonial New Spain during the first decades following the Conquest: the sixteen trial transcripts of Bishop Zumárraga's Mexica inquisition from 1536-1540. What is even more shocking is that these documents have been available for nearly a

century. Commemorating the one-hundredth anniversary of independence, in 1910 the Mexican government sponsored the publication of some of the most prized manuscripts from the national archives, the Archivo General de la Nación (AGN), including the trial transcript of Don Carlos, natural lord of Texcoco.⁴ This was followed in 1912 by the publication of thirteen more transcripts.⁵ For nearly one hundred years, the only substantial piece of scholarship produced using these trial documents was that of Richard E. Greenleaf who, from his archival research of the trial manuscripts at the AGN, dedicated two chapters within a larger work on Bishop Zumárraga to “The Indians and the Inquisition.”⁶ Since this groundbreaking study, however, the hundreds of pages of these printed and readily-available transcripts have been the subject of only one major study, as well as a relatively small number of journal articles and references within larger studies.⁷

The most obvious reason for the lack of usage of these trial transcripts is that the process of *inquisitio* exacted information through coercive and persecutory measures. Indeed, the usefulness of inquisition documents as sources of ethnography is to some extent limited.⁸ The testimonies given under interrogation cannot be separated from the chained defendant and scrutinizing friar-inquisitor; nor should we forget what intimidation, torture, and the threat of physical punishment can cause to be divulged or withheld. The trial records being studied here from the Zumárraga inquisition face yet another complication: the intermediary of the Spanish translator, whose proficiency in the native language, as well as how his own beliefs may have influenced this translation, can be called into question. Yet, since the 1970s, a number of works based on inquisition records have shown that, despite concerns about validity and reliability, these police records, when studied *en masse* and contextualized with other sources, can provide a perspective of society not available from chronicles, histories, treatises, and letters alone.⁹ By the skill of the historian, and sometimes by sheer luck, the testimonies and confessions of even just one person can evoke an entire world.¹⁰

While the words and actions of these persecuted individuals must still be treated with caution, what the trial records more accurately disclose are the minds of their accusers – their beliefs, expectations, concerns, and assumptions about heresy, idolatry, diabolism, as well as the deep religious conviction guiding their actions. Yet, so often these perspectives have been ignored, due to the underlying assumption of inquisition as an irreligious institution of political and social power.¹¹ The strength of this belief lies in its long history, beginning during the Reformation as Protestant polemic in an attempt to demonstrate Roman Catholicism’s “spiritual bankruptcy.”¹² This outlook on inquisition as

hypocritical and devoid of all religious belief and theological support, however inadvertently, persists in modern scholarly works on inquisition.¹³ These underlying notions, revealing historians' assumptions about the nature of religion and its relationship with persecution, have had problematic consequences on modern inquisition historiography.

First, a number of dichotomies can be created by historical scholarship, which fails to reflect the realities of the historical period in question. Demonstrative of the influence of Michel Foucault, the placement of persecution solely into realms of power, authority, and politics suggests an ahistorical divide between "Church and State," as well as political and religious motivations, in a world where *regnum* and *sacerdotium* were not just intricately linked but in many ways were one and the same.¹⁴ As has been suggested by some scholars, Zumárraga's inquisitorial activity from 1536-1540 can be seen as motivated by the Franciscans' worldly aim of maintaining unprecedented power and responsibility they enjoyed in the New World, but such incentives cannot be removed from the strong religious beliefs informing those seemingly political endeavors.¹⁵ We also see here an artificial dichotomy made between religion and violence. The world of Cortés, Zumárraga, and Motolinía was one where violence, persecution, religiosity, and holiness went hand in hand. If we take seriously the religious convictions of crusading conquistadores, of missionaries tearing down temples and burning idols, then we should also take seriously the beliefs of the friar-inquisitors, who were fueled by a deep religious conviction in which pastoralism and persecution were by no means incompatible.¹⁶

There also seems to exist a real sense among scholars that to write about the religious convictions of inquisitors is to defend the process of inquisition itself. Thus, in many works one often witnesses a great deal of ethical and moral posturing, which not only detracts from the historian's overall argument, but can also prevent anything revolutionary or innovative from being done.¹⁷ Often, the scholar falls into the most traditional theories and methodologies, one of which is the tendency to study inquisition solely in terms of institutional history.¹⁸ Such is the case with some of the foundational scholarly treatments of the Holy Office of the Inquisition in New Spain, which not only make little or no use of archival and printed trial records, but write off or even ignore local, immediate concerns and manipulations (which may have changed the very nature and functioning of the Inquisition) in favor of a more cohesive, coherent, and continuous portrait of the institution throughout the centuries.¹⁹ It is on this issue, the historiographic tendency to search for and identify a "Mexican Inquisition" in early colonial New Spain, that the remainder of this work will focus.

The early colonial inquisition in New Spain, though often overlooked, was another important medieval inheritance of New Spain.²⁰ The primary purpose of inquisitorial activity in New Spain, as perceived by its proponents, was the defense of Catholic religion and Spanish culture against individuals with heretical views or those who showed a lack of respect for religious principles. Gerónimo de Mendieta and his Franciscan brothers, as well as many others, believed the inquisitorial process to be an effective and holy means of uncovering the truth about “those diabolical squadrons...whose remedy and medicine is the Holy Inquisition.”²¹ The detection and destruction of all forms of heterodoxy was especially important in the New World, which was envisioned as a more perfect version of Catholic Europe and Spain. The Inquisition would ensure the uncovering and punishment of any and all who could ruin that vision. It was also seen as an important facet of the very Christianization process that, according to the Spanish Crown and the papacy, legitimized conquest and colonization. Some early narrative sources suggest inquisitorial activity and even capital punishment of wrongdoers, including native Mexica, for crimes against the faith in the early 1520s. This emphasis on the ties between inquisition and conversion is especially true of the Franciscans, who believed that the complete conversion of the native population would bring about the second coming of Christ.²² In its efforts to ensure the final and “universal destruction of these sects throughout the world,” the Inquisition would help bring about “the final conversion of all the peoples of the earth to the bosom of the Church.”²³ As in Iberia, the Holy Office would theoretically maintain native Christian discipline not by forcing one to obey, but by promoting the sincere desire to obey. As an institution that, in theory, would not only uphold Spaniards’ Christian discipline but also cultivate sincere orthodoxy among the native Mexica, the Inquisition was naturally an integral part of the colonial Americas, especially New Spain.

In form, method, and purpose, the inquisitorial process was fundamentally the same as that more or less codified in the middle of the thirteenth century in what is now southern France. This does not mean, however, that the procedure and rationale was completely unchanging and stagnant during the near three centuries between the first mendicant *inquisitio hereticae pravitatis* and Zumárraga’s appointment as Apostolic Inquisitor in the Valley of Mexico.²⁴ Rather, we see a growing intellectualization and sophistication of inquisitorial procedure, the modes of penitential and didactic punishment, and notions of heterodoxy itself. Traditional inquisition historiography tends to presuppose that the culmination of this growing complexity was the inquisition’s institutionalization through the development of permanent tribunals (capital-I Inquisitions), most notably that established in Spain in 1478.²⁵

And indeed, when inquisitors landed in the New World, they could look back on these three centuries of experience and ideology to counter all forms of heterodoxy, and in many ways this tradition did inform their actions in the New World. Such assumptions of an inexorable, gradual, and inevitable trend from ad-hoc inquisitions to the Inquisition, however, overlook or disregard the realities of the early “Mexican Inquisition” in New Spain.

In its rationale and procedure, inquisitions in the New World were based on Spanish Inquisition conventions, and the Inquisitor General in Spain did in a number of instances delegate inquisitorial authority to Dominican or Franciscan prelates.²⁶ Nonetheless, these were delegations of circumscribed inquisitorial power, an “Apostolic Inquisition” allotted to bishops in the Caribbean in 1517 by Cardinal Cisneros and the Spanish Crown. Zumárraga himself assumed his special inquisitorial powers through this 1517 delegation. Despite all his efforts and lobbying for a permanent Holy Office of the Inquisition in New Spain, Zumárraga could not move the Council of the Indies, and his apostolic powers were simply reconfirmed in 1535 by Don Alonso Manrique, the Inquisitor General in Sevilla.²⁷ Though Zumárraga gave his inquisition all the accouterments of a permanent Holy Office – he even had his secretaries and officers refer to him as “inquisitor general” and his inquisition as the “Holy Office” in the trial records – his proceedings held no official standing as such.²⁸ Nor does the Iberian tribunal’s influence in the New World mean that inquisitors in New Spain answered directly to their Spanish counterparts. In accordance with *patronato*, the viceroy supervised inquisitorial function in New Spain; in Zumárraga’s case, Antonio de Mendoza was especially involved in inquisitorial procedure, even issuing instructions to the bishop on procedure and the keeping of records.²⁹ Following the end of Don Carlos’ trial later that year, Zumárraga sent the entire trial transcript to Mendoza and the *oideres* of the Audiencia for their opinion on his proposed sentence of relaxation to the secular arm; the viceroy and many audiencia members were present at the *auto de fe* and execution.³⁰

Thus, along the general trend of increasing sophistication and institutionalization of inquisition, the early “Mexican Inquisition” prior to 1571 appears to be a definite outlier, not only in its impermanence, but in its noticeable lack of infrastructure, administration, and resources in comparison to the Holy Office in Spain.³¹ For the most part, the inquisitors in New Spain also derived their power and authority from an altogether different source than their Iberian counterparts. Though the authorities of the Spanish Tribunal did occasionally delegate inquisitorial power to friars and bishops in their American dependencies, this does not mean that the Spanish Suprema was the ultimate source of inquisitorial

authority in New Spain. While both the Holy Office of the Inquisition in Seville and the Spanish Crown attempted to assert stronger control and oversight over inquisitorial actions in New Spain, particularly over Zumárraga, the vast distances between the Valley of Mexico in New Spain and the hubs of Spanish civil and ecclesiastical authority in Castile made such directive power not only impractical but nearly impossible. It is apparent, for instance, from Zumárraga's correspondence that the Holy Office in Seville was attempting to implement strict oversight of his inquisition; meanwhile, Charles V was ordering Zumárraga in 1537 to exempt natives from his jurisdiction and send the cases - particularly those concerning polygamy and sexual misconduct - to the viceroy and Audiencia.³² Such demands, however, were apparently ignored by Zumárraga, as well as Mendoza and the Audiencia, who seemed to believe along with the bishop that "some punishment is necessary," although Charles V had ordered that the "Indians should not be given the lash as is done with the Spaniards."³³ On 18 June, 1539, Viceroy Mendoza even released new ordinances announcing severe punishment for idolatry or "speaking against the holy faith," and ordering all natives to come forward to the religious authorities what they knew about such activities.³⁴ Ultimately, inquisitorial activity in early colonial New Spain represented an altogether different relationship with their highest civil and ecclesiastical authorities.

Indeed, the majority of inquisitors seem to have received their authority instead from the Adrian VI's papal bull *Exponi nobis (Omnimoda)*. This grant of special faculties to the regular clergy in the New World implied the power of ecclesiastical judge ordinary, or inquisitor.³⁵ Perhaps the clearest and most infamous application of this papal dispensation was the inquisition undertaken in 1562 in the Yucatan by Fray Diego de Landa.³⁶ However, an illuminating letter, dated April 30, 1532, from Sebastián Ramírez de Fuenleal, Bishop of Santo Domingo and President of the Audiencia of Mexico, to Charles V, shows that both Dominican and Franciscan friars, under the "Breve de Adriano," had already been proceeding against heretics and other wrongdoers as ecclesiastical judges in the Caribbean and New Spain, and had "sentenced them to burning, reconciliation, and penitence."³⁷ Clearly, early inquisitors began acting on the implied inquisitorial powers granted in *Omnimoda* far earlier than Diego de Landa's inquisition. Bishops continued to exercise their ecclesiastical powers as judge-ordinary to try heresy without an explicit delegation of authority, as demonstrated in 1556 by Archbishop Alonso de Montúfar's activity against suspected Lutherans in New Spain.³⁸

Upon further inspection, then, it seems that the "Mexican Inquisition" was no institutional "Inquisition" at all. What transpired in

early colonial New Spain, in fact, appears much more similar to the inquisitions of the medieval world. In particular, we see a succession of independent delegations of inquisitorial power and ad hoc bursts of inquisitorial activity, designed to take care of specific problems and concerns of the colony's ecclesiastical and civil authorities at particular points in time. The inquisition of the Dominican Fray Domingo de Betanzos in 1527, for instance, was dedicated strictly against blasphemy among the colonists (nineteen trials altogether), particularly amongst the conquistadors of Hernán Cortés.³⁹ After a breakdown in emigration restrictions and an influx of illegal immigrants in the first decades of the sixteenth century, fears of crypto-Judaism in New Spain led to the trial and execution of two *judaizantes* in 1528 by Fray Vicente de Santa María.⁴⁰ During and after Zumárraga's inquisition, a specific concern precipitating inquisitorial activity was an illegal influx of foreigners suspected of being Lutherans, especially during the Montúfar inquisition from 1556-1569.⁴¹ The impetus for Zumárraga's native inquisition, as has already been shown, was the discovery of recurrent idolatry, sacrifice, and anti-Spanish dogmatizing among the Mexica population, which had deflated earlier optimism about the success of the missionary and conversion movements in New Spain.

Additionally, these ad-hoc Mexican inquisitions were dependent on the acquiescence of local civil authorities, and not the Spanish Crown, for their operation. To some extent, inquisitorial activity had always depended on secular authorities, particularly in meting out the prescribed disciplinary measures against heretics. However, in a world where political hegemony was so closely based on conversion and the establishment of a colonial church, and where both civil and ecclesiastical grasps of control were tenuous at best, the relationship between Spanish political and religious authorities was especially strong. During the years after the Conquest, the clergy had to rely to a much larger extent on the secular arm for the enforcement of orthodoxy, as the infant Church in New Spain had not yet developed adequate administrative machinery to do so. Two civil edicts from 1523 were directed against heretics and Jews, as well as any person "who in word or deed did things that seemed sinful."⁴² A 1527 edict from the *cabildo* of the city of Mexico prescribed that "in this New Spain there will be no Jew, nor a child, grandchild, or descendent of a burned or reconciled Jew."⁴³ Don Diego de Quijada, who had performed inquisitorial investigations of his own in the Yucatan, assisted Diego de Landa in his idolatry trials in 1562. Meanwhile, civil authorities continued to try apparently religious crimes, such as blasphemy, and there are even some instances in which secular leaders assumed quasi-inquisitorial powers.⁴⁴

As in Europe, the line between heresy and treason in colonial New Spain remained very thin.

Such a close relationship between the two arms of Spanish authority, however, could lead to problems. This is evidenced by the highly politicized Dominican inquisitions of the late-1520s. Conflicts with the secular authorities in New Spain, meanwhile, could halt inquisitorial activity altogether; such a conflict occurred between the newly appointed Bishop Zumárraga, acting as Protector of the Indians, and the Audiencia President Nuño de Guzmán between 1529 and 1531.⁴⁵ The “politically strident climate” of New Spain in the early 1530s was certainly considered by Zumárraga in his decision to postpone the use of his apostolic powers of inquisition for seven years after being appointed as Mexico’s bishop.⁴⁶ When he did finally begin to investigate, try, and punish native wrongdoers, he had been ensured the full support of the Audiencia, Cortés, and Viceroy Mendoza.

The most obvious medieval heritage of inquisitorial activity in New Spain, however, was its process. The first step in the inquisitorial procedure in Mexico was an edict of faith, a public and solemn pronouncement inviting all to denounce themselves or others within a thirty to forty day grace period; those who did confess were absolved of their sins after doing mild penances, but all were expected to denounce others under threat of excommunication. As procedure became more institutionalized and formalized in Mexico, inquisitors or their representatives made yearly visits (*visitas de partido*) to towns in their jurisdiction to gather evidence. Three denunciations were required before a suspected heretic or idolater could be prosecuted; even after these denunciations had been verified, additional evidence was gathered and examined by *calificadores*. The accused was confined in prison, and some of his goods and property were confiscated. Usually within eight days of his or her arrest, the accused was called before the inquisitor and questioned about their life history; in the case of accused indigenous idolaters and heretics, these questions included when they were baptized, how long they had been a Christian, how often they went to mass, and how often they had received the sacraments of Eucharist and Penance. The prisoner was given a series of admonitions, asking him to search their conscience to see if he could advise the court why he was on trial. A formulated charge was read to the subject, who responded to the charges through a translator or defense attorney. Abstracts of witnesses’ testimonies against the accused were presented, though the names of those witnesses were withheld; the defendant then had the opportunity to answer the testimony and name possible enemies or others who may have falsely accused him for ulterior reasons.

At this point, most cases would end in conviction or exoneration; when the evidence was insufficient, or in the case of major heresy, torture was implemented, though strictly regulated. The torture session could last only one hour, and the prisoner could only be tortured once. Torture techniques included the rack, water boarding, tightening a cord around the arm, and the *garrucha*, in which the hands were bound and the body hoisted up and dropped within a few feet of the floor. A torture technique particularly dreaded by the Mexica was being stripped naked and having hot wax poured on their bodies. Though perhaps counterintuitive, torture sessions were never meant to elicit a confession, but to merely confirm a truth that the inquisitors already knew; a confession given under the coercion of torture had to be reconfirmed afterward in court. Zumárraga very rarely used torture against his Mexica defendants, and there is no indication that he transgressed torture regulations, as did Diego de Landa and his inquisitors a quarter of a century later.⁴⁷

When a defendant confessed or was confirmed to be guilty, the ultimate degree of punishment was based both on the severity of the crime, as well as the contrition (or recalcitrance) of the defendant.⁴⁸ In the case of minor crimes against the faith, sentences included flogging, fines, and other spiritual penances. Meanwhile, major heretics and idolaters who confessed and demonstrated remorse were reconciled to the Church, though they still faced additional and more stringent punishments. These included imprisonment (possibly perpetual), banishment to Spain or out of one's home region, or forced labor on the galleys or in the mines of New Spain. All such disciplinary acts were seen by the persecutors, as they had been for centuries, as penitential discipline, a necessary and holy part of their pastoral duty to fully reincorporate the *reo* into the Church.

When, however, the inquisitor doubted that the prisoner was truly remorseful or when a heretic or idolater had relapsed, the sentence was that of *relajación al brazo seglar*, where the impenitent heretic was remanded to the custody of the civil authorities to be burned at the stake. All punishments took place following the infamous *auto de fe* (act of faith), an adaptation of inquisitorial punishment peculiar to the Spanish Inquisition. In Mexico City, a procession of prisoners in penitential garb (the *sanbenito*), inquisitors, and civil officials began at the bishop's administrative offices and ended at the Zócalo, after which a sermon was preached and each *reconciliado* received forgiveness and was reunited to the Church. Penitent or lesser wrongdoers were returned to the inquisitorial jail to begin their sentences the following day, while those who remained obstinate were received by civil officials, taken to the *quemadero* outside the Zócalo, and burned by the executioners. Unlike

the concurrent Spanish Inquisition, where these urban spectacles became self-perpetuating, annual events in the Christian calendar, early *autos* in New Spain were simpler affairs, usually occurring as soon as possible after the conclusion of a trial.⁴⁹

In its form and functioning, inquisitorial activity was a distinctly medieval legacy of early colonial New Spain. Attempts were made to form a “Mexican Inquisition” akin to its Spanish counterpart, and some inquisitors, particularly Zumárraga, envisioned their inquisitorial activity in such a light. However, the realities of New Spain necessitated impermanent and sporadic inquisitions, in which there was an entirely different relationship between civil and ecclesiastical authorities. For the most part, their actions and conceptions of heterodoxy between 1522 and 1571 bore all the intellectualization and sophistication accrued over three centuries of development in inquisitorial theory and practice, but in many ways the realities of inquisitorial activity in New Spain was more analogous to the world of early mendicant inquisitors and ad-hoc inquisitions following Gregory IX’s bull *Ille humani generis* in 1231 than a self-perpetuating institution like that in Iberia. For many, the difference between the Inquisition and inquisitions may be pointless. Nevertheless, the distinction is not so facile; it goes much farther than just helping us to better understand (rather than condone or condemn) the nature and development of one of the most controversial and polemical institutions in history. For, through studying its intricacies and peculiarities, we can ultimately reexamine wider notions of historical construction and continuity, as well as our understanding of religion and the late medieval world.

¹ Hernán Cortés, *Letters from Mexico*, ed. and trans. A. Pagden (New Haven: Yale University Press, 1986); Toribio de Benavente Motolinía, *Historia de los Indios de la Nueva España*, translated as *History of the Indians of New Spain*, by Francis Borgia Steck (Washington, DC: Academy of American Franciscan History, 1951); Joaquín García Icazbalceta, ed., *Don Fray Juan de Zumárraga, primer obispo y arzobispo de México. Colección de Escritores Mexicanos*, 4 vols. (Mexico: Editorial Porrúa, 1947). A large collection of legal documents, letters, and treatises have been gathered together in Richard Konetzke, ed., *Colección de documentos para la historia de la formación social de Hispanoamérica, 1493-1810*, 3 vols. (Madrid: Consejo Superior de Investigaciones Científicas, 1953-1962).

² According to Patricia Lopes Don, *Bonfires of Culture: Franciscans, Indigenous Leaders, and the Inquisition in Early Mexico, 1524-1540* (Norman: University of Oklahoma Press, 2010), p. 14, Franciscan ethnographers and legal authorities encouraged a revival of Nahuatl writing, but the results were primarily reports such as tribute lists and land survey documents.

³ Bernardino de Sahagún, *Historia General de las Cosas de Nueva España*, translated as *Florentine Codex: General History of the Things of New Spain*, by A. J. O. Anderson and C. E. Dibble, 12 vols. (Salt Lake City: University of Utah Press, 1950-82).

In the last twenty-five years, particularly following the research of James Lockhart, scholars have been making much greater use of these later sources – though their usefulness for the time period in question here is debatable. See Lockhart, *The Nahuas after the Conquest: A Social and Cultural History of the Indians of Central Mexico, Sixteenth through Eighteenth Centuries* (Stanford: Stanford University Press, 1992).

⁴ “Proceso inquisitorial del cacique de Tetzcoco,” in *Publicaciones del Archivo General de la Nación*, vol. 1 (Mexico City: Eusebio Gómez de la Puente, 1910).

⁵ “Procesos de indios idólatras y hechiceros” in *Publicaciones del Archivo General de la Nación*, vol. 3 (Mexico City: Tipográfico Guerrero, 1912) [hereafter *Procesos*]. Another transcript, that of Ana the *curandera* (healer) was published later in “Proceso del Santo Oficio contra una India curandera,” *Boletín del Archivo General de la Nación* 12 (1941): 211-214. A *proceso* of Don Pedro, cacique of Totolapa, and his brother remains unpublished; for a narrative of the trial, see Richard E. Greenleaf, “Persistence of Native Values: the Inquisition and Indians of Colonial Mexico,” *The Americas* 50 (1994), 360-363.

⁶ Richard E. Greenleaf, *Zumárraga and the Mexican Inquisition, 1536–43* (Washington, DC: Academy of American Franciscan History, 1961), though seminal and certainly influential to this study, primarily provides little more than a superficial and narrative account of the trials.

⁷ Don, *Bonfires of Culture*, published in 2010, focuses primarily on the experiences and problems of the first generation of post-Conquest native leaders. *Ibid.*, p. 203, n. 29 puts the number of secondary sources that refer to Zumárraga’s inquisition at forty three, though the majority cite Greenleaf’s work, rather than the trial transcripts themselves.

⁸ Carlo Ginzburg, “The Inquisitor as Anthropologist,” in his *Clues, Myths, and the Historical Method*, trans. John and Anne C. Tedeschi (Baltimore: The Johns Hopkins University Press, 1989), pp. 156-164.

⁹ Carlo Ginzburg, *The Cheese and the Worms: The Cosmos of a Sixteenth-Century Miller*, trans. John and Anne C. Tedeschi (Baltimore: The Johns Hopkins University Press, 1995); Emmanuel Le Roy Ladurie, *Montaillou, The Promised Land of Error*, trans. Barbara Bray (New York: George Braziller, 1978); and Mark Gregory Pegg, *The Corruption of Angels: The Great Inquisition of 1245-1246* (Princeton: Princeton University Press, 2001).

¹⁰ Carlo Ginzburg, “Just One Witness,” in *Probing the Limits of Representation: Nazism and the Final Solution*, ed. Saul Friedlander (Cambridge: Harvard University Press, 1989), pp. 82-96.

¹¹ For an argument that persecution and religious belief are not necessarily mutually exclusive in the medieval world, see Christine Caldwell Ames, “Does Inquisition Belong to Religious History?” *American Historical Review* 110 (2005): 11-37.

¹² Quotation from *ibid.*, p. 12. See Edward M. Peters, *Inquisition* (New York: The Free Press, 1988), pp. 122-54.

¹³ Such sentiments, however subtly expressed, permeate the work of even the great Inquisition historian, Henry Charles Lea. See Lea, *The History of the Inquisition of the Middle Ages*, 3 vols. (New York: Harper and Brothers, 1888); *idem*, *A History of the Inquisition of Spain*, 4 vols. (New York: The MacMillan Company, 1906-1907); and *idem*, *The Inquisition of the Middle Ages: Its Organization and Operation* (New York: The Citadel Press, 1954). For a Catholic apologist argument that inquisition is outside the realm of religious history, see Brad S. Gregory, “The Other Confessional History: On Secular Bias in the Study of Religion,” *History and Theory* 45 (2006): 132-149.

¹⁴ “Church and State” were intricately tied on both an ideological and practical level. Clerics, as seen above, were responsible for developing theories of the Spanish Empire; Franciscan missionaries taught loyalty to both God and emperor in their edifying plays. Sebastián Ramírez de Funleal, bishop of Santo Domingo, and Vasco de Quiroga, bishop of Michoacán, were members (Ramírez de Funleal as president) of the Second Audiencia, were bishops and religious. Franciscan missionaries also fulfilled quasi-administrative and political responsibilities as mediators and representatives to the Crown for the natives.

¹⁵ Don, *Bonfires of Culture*, p. 51, for instance, reveals an underlying view (characteristic of much Inquisition scholarship) of the distinction between political motivation and true religious belief: “As in Spain with unbeliever communities, the Franciscans responded to the wariness and secretiveness of the native leaders by defining them as a subversive class...in the mid-1530s – at the high point of his reputation and power, his Franciscan community under attack, and perhaps, the dream of a true, reformed American church in peril – he emotionally came to believe that the entire Christian mission was at stake.” Evangelization could and did serve as an instrument of social and political control, and the missionaries in their own right were searching for means of enforcing their message. Yet, these “worldly” motivations were founded upon religious conviction, particularly in the case of the missionaries and quite often in the case of lay Spaniards. In regards to this issue of the relationship between violence and holiness, also worth examining are Inga Clendinnen, “Disciplining the Indians: Franciscan Ideology and Missionary Violence in Sixteenth Century Yucatan,” *Past and Present* 94 (1982): 27-48; Henry Kamen, “Clerical Violence in a Catholic Society: The Hispanic World 1450-1720,” in *The Church and War: Papers Read at the Twenty-First Summer Meeting and the Twenty-Second Winter Meeting of the Ecclesiastical History Society*, ed. W. J. Sheils (Oxford: Oxford University Press, 1983), pp. 201-216; and Osvaldo Pardo, “How to Punish Indians: Law and Cultural Change in Early Colonial Mexico,” *Comparative Studies in Society and History* 48 (2006): 79-109.

¹⁶ Christine Caldwell Ames, *Righteous Persecution: Inquisition, Dominicans, and Christianity in the Middle Ages* (Philadelphia: University of Pennsylvania Press, 2009).

¹⁷ Sherry B. Ortner, “Resistance and the Problem of Ethnographic Refusal” *Comparative Studies in Society and History* 37 (1995), pp. 173-193.

¹⁸ Cf. Francisco Bethencourt, *The Inquisition: a Global History, 1478-1834*, trans. Jean Birrell (Cambridge, Cambridge University Press, 2009). Thanks to recent scholarship, the concept of a monolithic Inquisition existing from the thirteenth century onward has largely been dispelled. Cf. Bernard Hamilton, *The Medieval Inquisition* (New York: Holmes and Meier, 1989). Richard Kieckhefer, “The office of inquisition and medieval heresy: the transition from personal to institutional jurisdiction,” *Journal of Ecclesiastical History* 46 (1995): 36-61, urges a reevaluation of the term “Inquisition” and the concept behind it.

¹⁹ Many of the early works on the “Mexican Inquisition” analyze it primarily on an institutional level. Indeed, because inquisitorial activity prior to 1571 in New Spain did not fit the institutional trend, these early treatments either begin with the founding of a permanent tribunal in 1571, or only give the “primitive inquisition” a cursory glance. José Toribio Medina, *Historia del Santo Oficio de la Inquisición en México*, 2 vols. (Mexico City: Universidad Nacional Autónoma de México, 1987); Lea, *The Inquisition in the Spanish Dependencies*; Joaquín García Icazbalceta, *Bibliografía mexicana del siglo XVI* (Mexico: Biblioteca Americana, 1954); and Julio Jiménez Rueda, *Herejías y supersticiones en la Nueva España: Los heterodoxos en México* (Mexico City: Imprenta Universitaria, 1946). Medina, *La primitiva inquisición americana (1493-1569)*,

2 vols. (Santiago de Chile, Impresa Elzeviriana, 1914) does investigate this early inquisitorial activity, but still does so only on an institutional level. David Nirenberg's work on medieval Spain offers an argument for investigating the regional and chronological specificities of persecution and violence against marginalized groups. See Nirenberg, *Communities of Violence: Persecution of Minorities in the Middle Ages* (Princeton: Princeton University Press, 1996); and *idem*, "Conversion, Sex, and Segregation: Jews and Christians in Medieval Spain," *American Historical Review* 107 (2002): 1065-1093. Martin Austin Nesvig, *Ideology and Inquisition: the World of the Censors in Early Mexico* (New Haven: Yale University Press, 2009) investigates the ideology and practice of the inquisitorial censors, focusing on the case of Mexico from the 1520s to the 1630s. Nesvig argues that decisions regarding censorship involved considerable debate and disagreement among censors, thereby challenging the idea of the Inquisition as a monolithic institution, and that, once adapted to cultural circumstances in Mexico, the Inquisition and the Index produced not a weapon of intellectual terror but a flexible apparatus of control.

²⁰ For a good narrative account of the early "Mexican Inquisition," see Richard Greenleaf, *The Mexican Inquisition of the Sixteenth Century* (Albuquerque: University of New Mexico Press, 1969).

²¹ Gerónimo de Mendieta, *Historia eclesiástica Indiana*, p. 18. Mendieta's diabolical squadrons included "'perfidious' Judaism, 'false' Mohammedanism, and 'blind' idolatry along with the fourth squadron of the heretics."

²² John L. Phelan *The Millennial Kingdom of the Franciscans in the New World* (Berkeley: University of California Press, 1970).

²³ Gerónimo de Mendieta, *Historia eclesiástica Indiana*, p. 18.

²⁴ Temporarily assigned to Carcassonne two years after their great inquisition in Toulouse – almost 5471 men and women were interrogated in two hundred and one days - Bernard de Caux and John of St. Pierre, both Dominicans, were commissioned by Pope Innocent IV and the archbishop of Narbonne to prepare a manual for other friars on how to properly conduct an inquisition. The resulting small pamphlet, the *Processus inquisitionis*, became the first of many manuals on procedure and treatises on the powers and policies of inquisition which would be written in the next several centuries. Bernard de Caux and John of St. Pierre, *Processus*, translated as "A Manual for Inquisitors" by Walter L. Wakefield in his *Heresy, Crusade, and Inquisition in Southern France 1100-1250* (Berkeley: University of California Press, 1974), pp. 250-258. For the Great Inquisition of 1245-1246, see Pegg, *The Corruption of Angels*.

²⁵ Cf. Peters, *Inquisition*.

²⁶ Greenleaf, *Zumárraga and the Mexican Inquisition*, pp. 7-11.

²⁷ "Título de Inquisidor," in *Don Fray Juan de Zumárraga*, ed. Icazbalceta, vol. 3, pp. 71-73.

²⁸ See, for instance, the "Proceso inquisitorial del cacique de Tetzcoco," p. 1: "En la iglesia de Santiago de Tatelulco de esta cibdad de México, Domingo veinte e dos días del mes de Junio, año del nacimiento de nuestro Salvador Jesucristo de mil e quinientos e treinta e nueve años, ante el Reverendísimo Señor Don Fray Juan de Zumárraga, por la gracia de Dios e de la Santa Iglesia de Roma, Primer Obispo de esta dicha cibdad de México, del Consejo de Su Majestad y Inquisidor Apostólico contra la herética pravedad e apostasía en esta dicha cibdad y en todo su obispado, y en presencia de mí Miguel López de Legazpi, Secretario del Santo Oficio de la Inquisición, pareció presente, Francisco, indio, natural de Chiconabtlá, siendo intérpretes el Padre Fray Antonio de Cibdad Rodrigo, Provincial de la orden del Sr. Sant Francisco en esta Nueva España, e su compañero Fray Alonso de Molina, e Fray Bernardino, letor del Colegio de Santiago."

²⁹ Greenleaf, *Zumárraga and the Mexican Inquisition*, pp. 21-22, esp. n. 95.

³⁰ "Proceso inquisitorial del cacique de Tetzco," p. 81.

³¹ This might explain why the early inquisitions prior to 1571 are glossed over or only briefly discussed in so much of the historiography of inquisitorial activity in New Spain. For instance, see Henry Charles Lea, *The Inquisition in the Spanish Dependencies* (New York: The MacMillan Company, 1908) begins his account in 1569, thereby avoiding the early period of inquisitorial activity in New Spain altogether.

³² Joaquín García Icazbalceta, ed., *Don Fray Juan de Zumárraga, primer obispo y arzobispo de México* (Mexico: Andrade y Morales, 1881), p. 490; and Alberto María Carreño, ed., *Nuevos documentos inéditos de Don Fray Juan de Zumárraga y cédulas y cartas reales en relación con su gobierno* (Mexico: Ediciones Victoria, 1942), p. 67.

³³ Zumárraga, "Carta de los Illmos. Señores Obispos de México, Oaxaca, y Guatemala sobre la ida al concilio general, y piden sobre distintos puntos, así de diezmos, como otros para la buena planta y permanencia de la fe en este nuevo mundo," in *Don Fray Juan de Zumárraga*, ed. Icazbalceta, vol. 3, pp. 102-103.

³⁴ Alberto María Carreño, ed., *Don Fray Juan de Zumárraga: Teólogo y editor, humanista e inquisidor; documentos inéditos* (Mexico: Editorial Jus, 1950), pp. 50-52.

³⁵ Pope Leo X and Adrian VI demonstrated a preoccupation with native Christianization in the bulls *Alias felices* (1521) and *Exponi nobis* (1522, known in the New World as *Omnimoda*), granting – first to the Franciscan Order and then all regular clergy and prelates – the ability to perform all episcopal functions, apart from ordination, in locations where a bishop was absent. Among those "episcopal" powers was that of inquisitor.

³⁶ Inga Clendinnen, *Ambivalent Conquests: Maya and Spaniard in Yucatan, 1517-1570*, Cambridge Latin American Studies 61, 2nd ed. (Cambridge: Cambridge University Press, 2003). Canon lawyers ultimately cleared Diego de Landa from all charges against him, stating that he had been authorized to initiate his inquisition under this papal bull. For the inquisitor's own account of events, see Diego de Landa, *Relación de las cosas de Yucatan*, translated as *Account of the Affairs of Yucatan* by Anthony Pagden (Chicago: University of Chicago Press, 1975). See also David E. Timmer, "Providence and Perdition: Fray Diego de Landa Justifies His Inquisition Against the Yucatecan Maya," *Church History* 66, no. 3 (1997): 477-488. It appears that bishops and monastic prelates were particularly enthusiastic in their inquisitorial jurisdiction in the fifteen years preceding the establishment of a permanent tribunal of the Holy Office. Greenleaf, *Zumárraga and the Mexican Inquisition*, p. 17 lists sixty-three cases in Oaxaca, thirty-nine in New Galicia, at least fourteen in Yucatan, twenty-eight in Michoacán, and one in Puebla.

³⁷ Joaquín García Icazbalceta, *Bibliografía mexicana del siglo XVI: Catálogo razonado de libros impresos en México 1539-1600* (Mexico: Biblioteca Americana, 1954), p. 452.

³⁸ Visitor General Tello de Sendoval, who took over as Apostolic Inquisitor after Zumárraga's demotion in 1543, returned to Spain after only three years, and inquisitorial powers reverted back to the bishops through the 1517 delegation or prelates of the various Orders under *Omnimoda*.

³⁹ Greenleaf, *Zumárraga and the Mexican Inquisition*, pp. 101-103; and idem, *The Mexican Inquisition of the Sixteenth Century*, pp. 11-26.

⁴⁰ Medina, *La primitiva inquisición americana*, vol. 1, pp. 29-30; and Lea, *The Inquisition in the Spanish Dependencies*, p. 194. Evidence for the 1528 executions comes from testimony taken about forty years later, after a senior inquisitor began an investigation when he noticed that certain old *procesos* had disappeared; see Alfonso

Toro, *Los judíos en la Nueva España. Documentos del siglo XVI correspondientes al ramo de Inquisición* (Mexico: Fondo de Cultura Económica, 1932), pp. 20-32.

⁴¹ G. R. G. Conway, *An Englishman and the Mexican Inquisition* (Mexico: privately printed, 1927); Julio Jiménez Rueda, *Corsarios franceses e ingleses en la Inquisición de la Nueva España* (Mexico: Imprenta universitaria, 1945).

⁴² Greenleaf, *Zumárraga and the Mexican Inquisition*, p. 8. According to Greenleaf, the two edicts are missing from the Archivo General de la Nación (AGN), but a note in the *Catálogo de Inquisición* yields the above information.

⁴³ *Primer libro de las actas de cabildo de la ciudad de México* (Mexico: Archivo General de la Nación, 1889), p. 132; and Clendinnen, *Ambivalent Conquests*.

⁴⁴ Greenleaf, *Zumárraga and the Mexican Inquisition*, p. 18 gives an example in which the *alcalde* in Toluca assumed inquisitorial powers and civilly tried a Portuguese Jew without ecclesiastical advice. Francisco de Tejera was arrested for blasphemy and spitting on a cross, and he was sentenced to thirty days' imprisonment, three hundred lashes, and having his tongue split on both sides, in addition to a spiritual penance.

⁴⁵ Fausto Marín-Tamayo, *El primer conflicto colonial civil-eclesiástico (1529)* (Puebla: Centro de Estudios Históricos de Puebla, 1957). The Audiencia was the governing legislative and judicial tribunal in New Spain.

⁴⁶ Don, *Bonfires of Culture*, p. 46. Aside from his conflict with the audiencia, the highly political inquisitions from 1526-28 were probably another of Zumárraga's considerations in postponing inquisitorial activity. Zumárraga also spent this interregnum period campaigning for the establishment of a permanent inquisitorial tribunal.

⁴⁷ Clendinnen, *Ambivalent Conquests*, pp. 74-77.

⁴⁸ While the defendant was seen as guilty until proven innocent, this does not necessarily mean that exoneration was impossible.

⁴⁹ Henry Kamen, *The Spanish Inquisition: An Historical Revision* (London: Orion Books Ltd, 1997), pp. 212-213.

An Examination of Abraham Lincoln's Image as "The Great Emancipator"

Adam Merzel

Abraham Lincoln has been dubbed "The Great Emancipator" due to the part that he played in abolishing chattel slavery in the United States. His impact had multiple facets; he has been popularized – almost to the point of deification - for his role in preserving the Union, but is also known for freeing African-Americans from bondage. A modern view of Lincoln paints him as a reformer who injected progressive ideas and moral reform into a society pockmarked by the plague of slavery, and applied the basic liberties of democracy stemming from the Enlightenment to the United States. However, this quixotic portrayal of Lincoln, while tempting to embrace, is historically inaccurate. A more comprehensive examination of Lincoln's role reveals that the construction of the Emancipation Proclamation was a strategic decision, initiated by myriad motives. He was definitely antislavery and had a progressive outlook on how blacks in the antebellum period should fit into society, but he was a moderate in his own party and tempered his desire for abolition with political savvy and public prudence. There were others, such as Horace Greeley and John C. Fremont, who were much stronger advocates of immediate emancipation and discounted the potential pitfalls that Lincoln cited as significant.¹ This paper will explore Lincoln's attitudes regarding race and slavery in the antebellum period and during the Civil War, using his interactions with Frederick Douglass as a lens. It will also evaluate to what extent he earned his contemporary legacy as the driving force behind emancipation, and it will conclude with an assessment of the efficacy of Lincoln's rhetoric and his image among the Southern lower-middle class, which the current historiography neglects.

Many different postwar images of Abraham Lincoln exist. Some still hail him as the "Great Emancipator," while others cite the words of Lincoln and his contemporary political adversaries to depict him as a reluctant proponent of emancipation. There is significant contradictory evidence regarding Lincoln's position on the treatment of African Americans. While relatively few believed that he opposed equal rights for blacks outright, there are many who believe that Lincoln's legacy as "the man who freed the slaves" is greatly exaggerated and overemphasized.

However, recent historiography has shifted towards a more positive appraisal of Lincoln on issues of race and slavery. James Oakes' *The Radical and the Republican: Frederick Douglass, Abraham Lincoln, and the Triumph of Antislavery Politics* provides an interesting overview of Lincoln's antislavery and racial viewpoint, and how it compared and contrasted with that of prominent black abolitionist Frederick Douglass. Douglass' views of Lincoln were incredibly complex. In 1865, he referred to Lincoln as "emphatically, the black man's President, the first to show any respect for their rights as men."² However, about ten years later, at the dedication of a monument in Washington, D.C., Douglass derided Lincoln as "preeminently the white man's President." He dubbed his predominantly white audience as "the children of Abraham Lincoln," and continued to say that "We [black people] are at best only his step-children."³ During the course of the war, Douglass frequently urged that the Union fight not only for the preservation of the Union, but for black freedom as well. According to Douglass, Lincoln operated too slowly and hesitantly in taking those steps, which led Douglass to decide that Lincoln was "a proslavery wolf in antislavery sheep's clothing" and that he was "no more fit for the place he holds than was James Buchanan."⁴ Despite this strangely conflicting assessment, Douglass eventually concluded that Lincoln should be viewed in a positive light, because "in his heart of hearts he loathed and hated slavery" and his solid guidance during the Civil War rid America "from the great crime of slavery." To Douglass, "the hour and the man of our redemption had met in the person of Abraham Lincoln."⁵

Oakes notes in his book that Douglass' 1876 speech "mimicked his own shifting perspective" on Lincoln. "The latter was no more the miserable tool of traitors than the former [James Buchanan] is allowing himself to be," declared an angry Douglass in July 1862. Lincoln had "steadily refused to proclaim, as he had the constitutional and moral right to proclaim, complete emancipation to all the slaves of rebels." The country is destined to become sick of Lincoln, and the sooner the better." However, in the same timeframe that Douglass was disparaging Lincoln as equivalent to his predecessor James Buchanan, Lincoln was preparing to issue the Emancipation Proclamation, an action that would align his actions with Douglass' wishes. When Lincoln's decree became public knowledge, Douglass euphorically praised Lincoln's actions, "We shout for joy that we live to record this righteous decree!"⁶

This positive outlook on Lincoln evaporated, however, in the years that followed. Douglass felt that Lincoln had been unwilling to advocate outright emancipation, and that he appeared to be having parallel reservations in 1864, when he was forced to address the issue of

equal rights for freedmen. Douglass was so discouraged with Lincoln's lack of a radical stance that he briefly championed efforts to replace Lincoln with a more radical Republican candidate during the presidential election of 1864. Ultimately, however, the only other choice besides Lincoln was Democrat George B. McClellan, whose platform might have endangered the antislavery gains of Lincoln's tenure. Therefore, Douglass came out in public support of Lincoln: "When there was any shadow of a hope that a man of more anti-slavery conviction and policy could be elected, I was not for Mr. Lincoln, [but] all hesitation ought to cease, and every man who wishes well to the slave and to the country should at once rally with all the warmth and earnestness of his nature to the support of Abraham Lincoln."⁷

Oakes maintains that Lincoln harbored the same abhorrence of slavery as Douglass, a former slave, even while remaining a moderate in his own party. Lincoln stated in 1858 that he had "always hated slavery, as much as any abolitionist."⁸ The fundamental chasm between Lincoln and Douglass was a differing view of tactics and strategy, not conviction. This is a key point in assessing Lincoln's role as "the Great Emancipator," because it indicates that Lincoln was not simply a moderate Republican with no end goal in mind, who stumbled into his legacy due to the events of the Civil War. Rather, he was a fervent abolitionist who tempered his views in order to maximize gain and accomplish political goals. The type of revolutionary reform that Douglass advocated was morally in line with Lincoln's views, but the more radical Douglass simply espoused the principles he believed were just and demanded that the leaders of the Union fulfill them. Lincoln's actions were more pragmatic. He shared the same tenets as Douglass, but was more cognizant of the fact that they could only be realized through gradual, diplomatic compromise and negotiation, being careful not to outstrip the slow pace of public and political opinion. Those who question the veracity of Lincoln's inherited title of "The Great Emancipator" must address this issue, which Oakes frames eloquently: "It is important to democracy that reformers like Frederick Douglass could say what needed to be said, but it is indispensable to democracy that politicians like Abraham Lincoln could do only what the law and the people allowed them to do."⁹

In retrospect, Douglass conceded that his perspective of Lincoln should be shaped by the actions of his generation. From the angle of staunch abolitionists "Lincoln seemed tardy, cold, dull, and indifferent," but when scrutinized against the average politician, he was noticeably more progressive on slavery. "Measure him by the sentiment of his country, a sentiment he was bound as a statesman to consult. [He was] swift, zealous, radical, and determined."¹⁰ Oakes even argues that

Lincoln was an expert at cloaking his true aims; he would pretend to appease Republicans, but actually maneuver them so that they embraced more radical positions. To Oakes, many important figures of the time, such as Douglass, did not understand Lincoln's subtle political prowess, his "obscured radicalism" that firmly led the Union down the path to abolition.

A perfect example of this is the case of General John C. Fremont, who served as the commander of Union forces in Missouri, which was both a border state and a slave state due to popular sovereignty. Against Lincoln's wishes, Fremont proclaimed that the slaves of Missouri were free upon the capture of the state by Union forces. While radicals such as Douglass expressed high praise at the move, Lincoln realized that more conservative Union supporters who resided in border states might support the Confederacy. Therefore, Lincoln instructed Fremont to amend his declaration so that it was in line with new federal laws, which "confiscated" but did not free slaves outright. This decision by Lincoln to enforce confiscation instead of emancipation caused abolitionists to condemn him as not devoted to ending slavery. However, Lincoln's principal objective was to solidify the allegiance and support of border slave states, since if they aligned themselves with the Confederacy, the Union could have lost the war, and slaves their opportunity for liberation.

John Stauffer's *Giants: The Parallel Lives of Frederick Douglass and Abraham Lincoln* highlights biographical similarities between Abraham Lincoln and Frederick Douglass. Stauffer argues that each strove to extricate himself from the confines of their childhood and stood up for their beliefs. Stauffer's work is much more of a historical essay than a historical work and does not approach the depth or breadth of Oakes' study. While at times Stauffer is tempted to romanticize their inevitably convergent paths in history, he acknowledges that Lincoln and Douglass were only connected in general terms. Despite this concession, the format in which *Giants* is set up – devoting individual chapters to each man – reinforces the notion that Stauffer is trying to illustrate the two as parallel figures.

While Stauffer's book seems less like a straightforward historical work than Oakes', it does bring to light several key issues that directly clash with ideas in *The Radical and the Republican*. While Oakes asserts that Lincoln's personal contact with slavery was limited, Stauffer highlights the trips that Lincoln took down the Mississippi River as a teenager, in order to work in New Orleans. Because New Orleans had a population of about 50,000, 60% of which was African-American, Stauffer concludes that Lincoln must have been exposed to the reality and the cruelty of slavery: "Abraham reportedly saw blacks chained and

mistreated, and ‘his heart bled’ for them.”¹¹ While this chain of events is plausible, Stauffer does not substantiate this claim with evidence. It is, however, useful to remember that Lincoln was exposed to the slave trade in one of its most infamous areas, which may have constructed the foundation for his antislavery inclinations.

Another noteworthy discrepancy between Stauffer and Oakes is Stauffer’s notion that Lincoln took “ethical detours” during his reincarnation as a self-made man.¹² Lincoln had some ties to the Whig party, partially due to his admiration of Henry Clay, whose ideas definitely fashioned Lincoln’s diplomatic and moral views. Stauffer goes as far as to say that Lincoln adhered to a predominantly Whig platform. Stauffer argues that Lincoln did not support suffrage for northern blacks and women, despite his relatively forward-thinking ideology. Lincoln even publically rebuked Martin Van Buren for espousing black suffrage in New York State.¹³ Oakes does not deny this seemingly anti-progressive sentiment by Lincoln, but justifies it as a necessary evil to further a political agenda. Oakes would not take this a step further, as Stauffer does, and cast Lincoln as a man of possible moral turpitude. However, Stauffer does admit that “on the suffrage issue, Lincoln was being pragmatic. To endorse blacks or women’s rights would have been political suicide.”¹⁴

It is this type of calculated expediency that characterized Lincoln’s political face throughout the Civil War. While Stauffer attributes Lincoln’s wish to preserve the status quo for diplomatic purposes to this pragmatism, he also somehow uses it to explain the flip side, namely the rationale for the Emancipation Proclamation. Contrary to its high-minded, moralistic wording and the proclamation’s lofty rhetoric, the Proclamation was a shrewd, sensible tactic that freed the slaves, carved a new demographic (blacks) from which to draft the Union Army, and delivered an unwavering message of gravity to the South. However, it represented different things to different groups. The Emancipation Proclamation served as a climax to abolitionists like Frederick Douglass, a political emblem of opposition to slavery and an ethical resolution. Lincoln probably saw it as positive, but did not issue it from an abolitionist standpoint, and definitely did it at least partially out of political expediency. If Lincoln had been a fervent, radical abolitionist, he never would have adhered to his Whig views on slavery. His political intelligence guided him to “never question the validity of the Fugitive Slave Act of 1850, either politically or constitutionally” because “it was a necessary concession to the South.”¹⁵ Furthermore, Douglass and other abolitionists challenged not only Lincoln’s moderate position, but the political beliefs on which he founded his actions. For example, Douglass voiced disillusionment with Lincoln’s assumptions

involving the border states. “Douglass also challenged Lincoln’s assumption that the border (slave) states of Maryland, Kentucky, Missouri, and Delaware would secede if the slaves were freed.”¹⁶ Abolitionists disdained accommodating tactics to ending slavery. Before 1862 Lincoln was even labeled “a genuinely proslavery president.”¹⁷ But, Douglass did identify the proclamation as a powerful and radical document that shifted the focus of the war from a regional, territorial conflict to a clash of civilization against barbarity. To Douglass, Lincoln’s motivation to move forward in the name of emancipation elevated him, even if in actuality the Emancipation Proclamation did not represent a change in his aims or morals.

George Frederickson’s *Big Enough to Be Inconsistent: Abraham Lincoln Confronts Slavery and Race* is an insightful study that addresses the discrepancy between what Lincoln believed and his relatively moderate path (compared to radical abolitionists). Frederickson claims that white Americans’ dedication to anti-slavery in the antebellum period was not an indication that they were proponents of total equality. He accepts Lincoln’s legacy as “the Great Emancipator,” but also alleges that he was a politician who protected slaveholders’ rights, utilized racist language, and promoted the separation of blacks from whites through various colonization schemes. The title phrase “Big Enough to Be Inconsistent” reflects the attempts of historians to explain the gulf between Lincoln’s racial policies and how he actually felt. W.E.B. Du Bois was one of the first to bring up the question in 1922, labeling Lincoln as “big enough to be inconsistent, cruel, merciful, peace-loving, a fighter; despising Negroes and letting them fight and vote.”¹⁸ Du Bois’ assessment is still a topic of contention today, and acts as the impetus for Frederickson’s work. As DuBois did, Frederickson accepts the notion of Lincoln as conflicted over how African-Americans should be treated. However, he also maintains that the incidence of the Civil War forced Lincoln to experience a deep transformation in his internal racial policy, and led him to adopt a more progressive position. Frederickson argues that if Lincoln’s life had not been truncated by John Wilkes Booth, his attitudes might have led him to spearhead the campaign for broader rights for freed slaves.

The first chapter of *Big Enough to be Inconsistent* is a methodical summary of the scholarly literature regarding Lincoln’s racial ideology, which underscores a “remarkable historiographic polarization” between those who view Lincoln as a proponent of civil rights and others “who cast him as an unconverted racist and reluctant reformer.”¹⁹ Frederickson then attempts to tackle this debate in the body of the book, examining Lincoln’s tenure in the Senate, his term as President, and his management of the Civil War. During the second chapter, Frederickson

analyzes Lincoln's "apparently racist statements." While he does not exonerate Lincoln from blame, he does make a point to be aware of the political forum within which Lincoln operated.²⁰ By entertaining the idea that Lincoln employed a functionalist approach, Fredrickson is somewhat forgiving in his judgment of Lincoln's racial dogma. Like Oakes, he paints Lincoln as a shrewd and constantly planning politician, and does not label racist or anti-abolitionist speech as an "ethical detour" like Stauffer does. Frederickson asserts that Lincoln was a savvy orator and writer, who brandished the terminology of white Southerners in order to ensure his political power, while he simultaneously reviled the moral depravity of chattel slavery.

A unique aspect of Frederickson's work is his portrayal of Lincoln as a political creature who undergoes a gradual change into a figure of strong moral conviction. Fredrickson argues that Lincoln became enlightened, but evidence does not address the fact that, other than the Emancipation Proclamation, many of the convictions that drove Lincoln did not further progressive racial ideology. Fredrickson even provides contradictory evidence showing that Lincoln devoted significant time and money to investigate colonization and compensation of slaveholders. Also, in the beginning, he was somewhat distrustful of black Union soldiers, and resisted championing civil rights for freedmen. Fredrickson admires Lincoln; the end result was that Lincoln ultimately acted justly. However, this does not elucidate Lincoln's motives for doing so. It is reasonable to argue from the evidence that Frederickson offers that Lincoln acted this way out of a newly born sense of conviction, but one could also claim that he was fueled by practical circumstance. Oakes and Stauffer would likely say that Lincoln's actions were a well-executed sequence of events, but Frederickson alleges that it was closer to luck. The Union badly needed the aid of black troops, so the resolution to accept their entrance into the army was hardly a decision at all. Lincoln's abandonment of colonization plans was probably due to its inherently impossible logistics, and it was not until the twilight of the Civil War that he rejected the premise of compensating Confederate slaveholders, at least partially due to the insistence of his Cabinet. Essentially, like Oakes and Stauffer, Fredrickson has a positive view of Lincoln, since he envisions that if Lincoln had not been assassinated, "[his] views would have evolved and moved him closer to the Radicals."²¹ However, he is unwilling to simply attribute the positive outcomes of Lincoln's regime as a climax of his moral enlightenment.

Big Enough to be Inconsistent is a useful tool in assessing Lincoln, but is extremely inconsistent. Fredrickson highlights Lincoln's limitations, but still portrays him as a dynamic leader in spite of the

evidence that he presents and the question of Lincoln's position on race. Frederickson does attend to the political backdrop that Lincoln was forced to work with, which altered his views and how he could communicate them. Fredrickson also importantly contends that "there is actually a spectrum of attitudes that might legitimately be labeled 'racist'" which implies that we must be prudent to appraise Lincoln using the criteria of the time.²²

The point that Frederickson raises represents a significant gap in historiography surrounding Abraham Lincoln. Too often, historians evaluate Lincoln from a modern-day perspective, and do not think logically about the options that Lincoln had at his disposal. Those who are quick to dismiss Lincoln's legacy as the "Great Emancipator" and assert that he was merely a competent president who was not passionate about anti-slavery fail to consider Frederickson's notion of a "spectrum" of racist attitudes. However, it is somewhat problematic to definitively pin down Lincoln's views. He never kept a diary, and any letters or speeches containing opinions and rhetoric pertinent to slavery issues are tainted with the very bias that we are trying to avoid. This idea strongly supports Eric Foner's conviction that "the private Lincoln will forever remain elusive."²³ Foner thinks it is very apparent that Lincoln's moral standing was an unwavering abhorrence of slavery. However, he feels that it was his utter loyalty to the Constitution that steered him away from supporting outright abolition, since abolishing slavery could be considered unconstitutional. While he held to his opinion that the guidelines of pro-slavery states had to be honored, he strove to prevent the fruition of slavery, and sought to gradually move toward emancipation. By focusing heavily on the unusually rich primary-source material of this period, perhaps there is a way to more confidently assess Lincoln's personal views on slavery, without being forced to resort to speculation.

Another area that has not been adequately addressed is the view of the common Southerner. If we accept the idea that Lincoln was definitely anti-slavery, but acted more conservatively in order to preserve the loyalty of border states, how successful was he? In too many discussions of slavery, historians and students categorize the events of the antebellum period and the Civil War as black-and-white: the North versus the South, the Union versus the Confederacy, the abolitionists versus the plantation owners. However, it is the small yeoman farmer who owned only a few slaves, and likely worked in the fields alongside them that is omitted. Slavery for them was a method by which to support their own families, not a mechanism through which to assert their social or racial dominance or augment their fortunes.

The disagreement on how we should assimilate Lincoln into the larger context of the history of the United States cannot be resolved until we tackle some of the important questions highlighted in this paper. To some, his motives were clearly anti-slavery; others are not as convinced. Frederick Douglass' perspective is particularly noteworthy; as a former slave and fervent abolitionist, his opinion of Lincoln seemed to reverse direction with alarming frequency. In the end, however, a man's true colors are more apparent in individual interactions than in the political forum, and Douglass' final assessment of Lincoln after meeting him in the White House is extremely revealing: "In his company I was never in any way reminded of my humble origin, or of my unpopular color. [Lincoln is] one of the very few Americans who could entertain a negro and converse with him without in anywise reminding him of the unpopularity of his color."²⁴ This paper, and the secondary literature upon which it is based, seeks to refocus historical discussion of Lincoln and allow us to explore less frequently traveled paths such as the efficacy of Lincoln's rhetoric and his image among the Southern lower-middle class. And just as importantly, it dispels the conception that Lincoln was a garden-variety racist who stumbled into his legacy.

¹ Paul D. Escott, *What Shall We do with the Negro?* (Charlottesville: University of Virginia Press, 2009), p. 31.

² James Oakes, *The Radical and the Republican: Frederick Douglass, Abraham Lincoln, and the Triumph of Antislavery Politics* (New York: W.W Norton and Co., 2007), p. 265.

³ Henry Louis Gates, Jr., *Lincoln on Race and Slavery* (Princeton: Princeton University Press, 2009), p. xvii.

⁴ James McPherson, *What Did He Really Think About Race?* (New York: The New York Review of Books, 2007), p. 3.

⁵ Frederick Douglass, "Oration in Memory of Abraham Lincoln," April 14, 1876, Delivered at the Unveiling of The Freedmen's Monument in Memory of Abraham Lincoln, Lincoln Park, Washington, D.C.

⁶ McPherson, *What Did He Really Think About Race?*, p. 2.

⁷ Oakes, *The Radical and the Republican*, p. 234.

⁸ *Ibid.*, p. 41.

⁹ *Ibid.*, p. 234.

¹⁰ *Ibid.*, p. 272.

¹¹ John Stauffer, *Giants: The Parallel Lives of Frederick Douglass & Abraham Lincoln* (New York: Hatchete Book Group, Inc., 2008), p. 172.

¹² *Ibid.*, p. 69.

¹³ *Ibid.*, p. 136.

¹⁴ *Ibid.*, p. 137.

¹⁵ *Ibid.*, p. 175.

¹⁶ *Ibid.*, p. 98.

¹⁷ *Ibid.*

¹⁸ George Frederickson, *Big Enough to be Inconsistent: Abraham Lincoln Confronts Slavery and Race* (Cambridge: Harvard University Press, 2006), p. 3.

¹⁹ *Ibid.*, p. 8.

²⁰ *Ibid.*, p. 14.

²¹ *Ibid.*, p. 124.

²² *Ibid.*, p. 84.

²³ Eric Foner, *The Fiery Trial: Abraham Lincoln and American Slavery* (New York: W.W. Norton, 2010), p. xvi.

²⁴ Oakes, *The Radical and the Republican*, p. 259.

“Riding into the Sunset:” The Legacy of Edward S. Curtis

Laura Steefel-Moore

Questions of how to view and understand art will never have static, definitive answers. How should the relationship between artist, patron, and subject be understood? Can art ever be separate from its historical context? In the case of Edward Curtis, the answers to these queries have significant implications, not only for Curtis’ own era but also for how his work has been understood over time.

Viewing Curtis’ work merely as art, without consideration of its historical context, is to neglect the rich and troubled socio-political history that accompanies it. Although it was intended for and marketed to a white audience, Curtis’ oeuvre must also be considered in dialogue with its Native-American subjects. Curtis is most famous for his portraits, but this paper will focus largely on the other ways in which Curtis constructed Native-American identity. When an artist chooses to devote his entire career to the documentation of a culture, that people’s history - even if it has traditionally been denied a voice - should become an inextricable part of the art’s dialogue. I will attempt to put Curtis in context through examination of the racist rhetoric surrounding much of his work, how his work was perceived by Native Americans in his own time, how it reinforced the system of Native oppression, and how its meaning has changed today. In exploring these components, I hope to detangle some of the complex and loaded ideas that have long been wrapped up in the legacy of Edward Curtis.

Edward Curtis’ photographs were built on the foundation of the “vanishing race” ideology prevalent in twentieth-century America - the idea that Native Americans were a people destined to die out with the advent of modernity and progress. During this time, there were two primary explanations for race. The first, derived from Rousseau’s ideas about the development of society, was that “primitive” people were childlike and simply less evolved than their “civilized” counterparts. The second, which became increasingly popular, was polygenism: the idea that rather than originating from a single origin, primitive people were an inferior species, completely biologically separate from the species of civilized people.¹ The philosophy of polygenism, along with physical removal of Native Americans onto reservations, led to widespread acceptance of the vanishing race theory. Christopher Lyman

explains that while previous generations had used religion to justify racist thought towards native peoples, Curtis' generation "believed that [racism] was a legitimate aspect of science or 'natural history.'" In the 1860s French biologist Paul Broca wrote that "the aptitude to conceive or receive progress" was one of the key distinguishing features between races.³

Curtis' images of Native Americans showed them as a people unable to receive progress. Curtis documented eighty North American Indian tribes in *The North American Indian* project, a project which took him over twenty years to complete. Curtis studied what he termed the "twenty-five cardinal points" of Indian culture, including vocabulary, political organization, systems of measurement, and marriage rites. But when he relayed his findings to white audiences, he focused specifically on religion and mythology.⁴ He presented Indian myths and beliefs as ancient and mysterious. Despite his extensive knowledge of the workings of Native American culture, Curtis cast the people as archaic and inscrutable. Ironically, Curtis was very much aware of Native Americans' capacity to "receive progress," as he often manipulated his images of them to remove traces of modernity and evidence of white contact.

In *The North American Indian* project, Curtis took up the mantle of salvage ethnography, one of the guiding principles for early twentieth century American anthropology. Salvage ethnography subscribed to the idea that native cultures were disappearing because of continued encroachment of Westerners. Salvage ethnographers believed their mission was to rescue artifacts from these cultures and record cultural practices in an attempt to reproduce the authentic before it became lost to posterity forever.⁵

The element of time played a key role in how Curtis composed his work. Johannes Fabian has developed the term "coevalness," meaning the temporal coexistence of the "primitive" subject and the western capturer of that subject.⁶ Coevalness is denied when the primitive subject is denied existence in the present. Because Curtis insisted on placing his contemporary subjects in historical settings, he denied them agency and empowered himself - and by extension, the "civilized" race - at their expense. For example, his photograph *Assiniboine Camp* [Image 1] from 1908 highlights how Curtis portrayed the Assiniboine as a people still living traditionally, when in fact an image from the same period [Image 2] shows how the Assiniboine had been forced onto reservations and were living in European-style houses rather than teepees.

Ostensibly, Curtis undertook *The North American Indian* project as an ethnographic mission, but he found that his work appealed to an

audience that was much broader than the academic world. Claude Levi-Strauss makes the distinction between people considered “ethnographiable” and those considered “historifiable,” concluding that if people are “ethnographiable” they are separate from authors of traditional history and are therefore conceived of as the Other.⁷ Establishment of a dichotomy between the collective Self and the collective Other leads to curiosity about the culture of the Other. An overarching desire to *possess* leads to these subsequent desires to analyze and to know. Mark Antliff and Patricia Leighton point out that designating a people as “primitive” leads to an intense fascination with their “primitive” material culture, using the colonial displays at the Universal Expositions as examples.⁸

White interest in Native-American culture paralleled European interest in colonial culture, and Curtis capitalized on this curiosity through the creation of spectacle. He created a show that he deemed a “picture-opera” to publicize (and to ultimately sell subscriptions to) his *North American Indian* volumes. The picture-opera, which toured the east coast during the winter of 1911-1912, consisted of lectern slides accompanied by Curtis’ narration and songs that were commissioned from Henry Franklin Belknap Gilbert to capture the spirit of Native-American culture.⁹ This picture-opera played to full audience halls throughout the East Coast, thanks to Curtis’ savvy marketing [Image 3]. He knew that there was already an entertainment niche for Indian spectacle (Buffalo Bill’s Wild West Show being an extremely popular example), and he combined his ethnographic findings with theatricality.

The picture-opera’s engagement of music, visual spectacle, and narrative made the experience seem to be, as the *New York Evening Sun* claimed, “Almost exactly what [Curtis] himself had seen and heard.”¹⁰ By transporting the “Indian” experience to audiences in the East, Curtis appropriated native life. However, it was *not* native life as he truly experienced it, but rather as what best fit the expectations of his audience. Considering that the most common terms used in the press to describe the musicale were “weird,” “wild,” “romantic,” and “mystic,” it is evident that Curtis sensationalized what must have been rather grinding fieldwork¹¹.

The picture-opera illustrates how Curtis’ artistic vision, his desire to sell his work, and contemporary racial thought all came together in the proliferation of harmful Native American stereotypes. Alone, Curtis’ images of Native Americans could be interpreted in a variety of ways. However, when accompanied by text - or, in the case of the picture-opera, by spoken word - they are explained through rhetoric that clearly draws on the idea of the vanishing race for justification. Martha Sandweiss explains that “bounded by words, [Curtis’] pictures acquire

narrative import as images of a fading past.”¹² Curtis had a script that he followed at each performance of his picture-opera, which began with him encouraging the audience to close their eyes “and in that flash of time, span the gulf between today’s turmoil and the far-away enchanted realm of primitive man.”¹³ This romantic introduction established Native Americans as a people frozen in the past. Yet as Curtis went on to speak about their habits and customs in the present tense, the natural conclusion to be drawn was that Native Americans were forever frozen in archaic ways that were irreconcilable with modern life.

In promoting his *North American Indian* project to his picture-opera audience, Curtis described his mission as “an effort to make a broad picture and world record of the Indians...that is, of the tribes still retaining enough of their primitive ways to permit a first-hand study.”¹⁴ This statement could imply that there were *some* tribes that had successfully adapted to a changing environment, but this implication would quickly be disavowed by Curtis’ follow-up contention that “the Indian, one of four Races of Man, is fast disappearing from the earth. In a few brief years he will be but a tradition.”¹⁵ When such statements were accompanied by photos like *Sunset in Navajo Land* [Image 4], the prevailing message was that Native Americans were fading passively away, due to the natural order of progress.

Progress, by definition, suggests a sequence of events that will inevitably occur in one form or another. The suggestion that Native Americans were dying out because of the idea of natural progress served Curtis’ purposes well. First of all, that Native Americans were vanishing justified his massive salvage ethnographic mission to record their culture before it was gone. It gave both purpose and urgency to his work. Secondly, it is important to consider who was included in Curtis’ network of supporters and friends. Theodore Roosevelt was a great admirer of Curtis. In writing the introduction to *The North American Indian*, Roosevelt lauded Curtis as “both an artist and a trained observer, whose pictures are pictures, not merely photographs; whose work has far more than mere accuracy because it is truthful.”¹⁶ The funding for Curtis’ project came most famously from J.P. Morgan but also from other railroad tycoons, government officials, and industrialists - namely, people who had a vested interest in promoting westward expansionism and the industrialization of America. The entrepreneurial influences on Curtis were more influential than have traditionally been acknowledged. Although it seems unlikely that Curtis was self-consciously creating propaganda for the ideals of Manifest Destiny, it *is* probable that he recognized it as the easiest trope with which to market his work. In the 1906 introduction to his project, directly after thanking “the captains of industry,” he concludes that, “when the last opportunity for study of the

living tribes shall have passed with the Indians themselves, and the day cannot be far off, my generous friends may then feel that they have aided in a [valuable] work.”¹⁷

However, such proliferation of vanishing race discourse was harmful to the wellbeing of Native Americans, as it meant that the white public was less likely to question the mistreatment of Native Americans. Such mistreatment included native peoples being forced onto reservations, governmental bans on Native ceremonies, and the denial of resources to Native Americans. Curtis’ anesthetized depictions of the gradual extinction of Native Americans meant that their suffering could be easily dismissed as the natural order of things rather than rightfully accredited to the willful acts of the white government and settlers, who profited from the take-over of “Indian land” [Image 5]. Curtis, in writing of Indian culture, stated that “the passing of every old man or woman means the passing of some tradition, some knowledge of sacred rites possessed by no other...”¹⁸ Having studied native cultures as carefully as he did, however, Curtis would have been aware of the continued effort on the part of the native peoples to pass their traditions on to each new generation. In reality, it was the white governments, with their active crusade to assimilate Native Americans, which posed the real threat to “the passing of tradition.”

The 1887 Dawes Act is an infamous example of the governmental assimilation project, leading to widespread poverty and homelessness among Native Americans.¹⁹ The act allotted specific plots of land to Native Americans in order to promote the supposedly “American” value of land ownership. The land that was not allotted to Native Americans was opened up to white homesteaders and railroad developers.

Often, however, the land assigned to individuals was not tenable. The people became dependent on governmental aid and the seasonal labor of the white economy.²⁰ Plains Indians, especially, were living in poverty when Curtis photographed them. Forbidden by the Bureau of Indian Affairs to hunt, but not yet established as farmers, the Plains Indians became dependent on the government for rations, farming supplies, sawmills, and other necessary tools. Sometimes supplies were intentionally withheld to coerce people into certain behavior.²¹ There are also documented cases of corruption of government officials who hoarded supplies for themselves rather than distribute them.²² This corruption occurred because the Native Americans were disempowered. A photographer/ethnographer who devoted over twenty years to understanding native culture was in the perfect position to give them back a voice, but Curtis, who enjoyed the amity of government officials from Gifford Pinchot to Teddy Roosevelt, chose not to portray the

starvation and hardship that he inevitably must have witnessed on the Plains.²³

For example, his photo “Ogalala War Party” was made at a time when the Ogalala people were starving on reservations. The photo [Image 6] is an impressive visual spectacle. Curtis portrays his subjects as noble warriors, dressed in extravagant headdresses, riding off to make war on an enemy tribe. Critics have taken issue with the factual inaccuracy that warriors would not have worn such headdresses when going on the attack, but the more significant issue here is the nostalgic placement of the Sioux people as firmly in the past, and the subsequent neglect of any mention of the contemporary problems plaguing them. It would have been impossible for the warriors to ride off to attack another group because at this point in time all the groups were forced to live together peaceably on crowded reservations.

Another example of the governmental assimilation program that is especially relevant to Curtis’ work is the Canadian government’s ban on the potlatch ceremony, which was in effect from 1884 until 1951. Potlatches encompassed a wide array of ceremonies, which sometimes included ritual cannibalism in the form of biting or consumption of other flesh. White governments feared and vehemently opposed potlatches because of the “cannibalistic” component.²⁴ They also had moral reservations about the practice of destroying property, another element of potlatch ceremonies.

In filming his feature-length film *In the Land of the Headhunters*, Curtis worked closely with the Kwakiutl people, who were one of the Pacific Northwest nations particularly affected by the potlatch ban. The Kwakiutl, despite persistent assimilation attempts by the government, maintained a vibrant community that still thrives today. Literature from a Kwakiutl cultural center explains that “dancing is not only a right and privilege” for the Kwakiutl people, but is “an obligation.”²⁵ As evident from his film’s script, Curtis understood the importance of the dance in Kwakiutl culture. However, as an outsider, he did not fully grasp the meaning of each dance. Curtis was in a paradoxical position as a combination of ethnographer and filmmaker. He wanted to document important elements of culture in his film, but he often compromised their integrity in order to support his artistic vision. For example, for one of the dance scenes in the film, Curtis drew a circle on the floor and made the dancers stay on that line, even when it meant dancing in the wrong way.²⁶

As Pauline Wakeham has suggested, rather than empowering the Kwakiutl, Curtis’ film implicitly supported the potlatch ban. Curtis cast several actors for one role, and conversely, had a single actor playing several roles.²⁷ Wakeham argues that, because of the confusion over

casting, the film is offensive in how “native bodies were stripped of specificity and reproduced as stereotyped ciphers of primitive Indianness.”²⁸ The Indian stereotype is then placed in the past, in a time before white contact. This ancient temporal setting suggests that the primitive behavior shown on film only had a place in the pre-modern world and should be eradicated with the advent of white influence.²⁹

Although the film did include some accurate elements of Kwakiutl culture, such as the artwork, it cannot be considered a factual documentation of their way of life. What Curtis presents in the film is *not* what he saw around him, as evidenced by the fact that he had to recreate the set, costumes, and props before filming.³⁰ At least one of the five totem poles shown in the film was built just for the film, and the “village” is a constructed stage set. There is a cinematically impressive whale-hunting scene in the film, but the Kwakiutl were not even whale hunters, and Curtis had to purchase the whale from a different local.³¹

Often, “ethnographic” films are presented as though their subjects were unaware of the camera’s presence in an attempt to provide the viewer with a “more *authentic* humanity.”³² Such films wanted to make it seem as though the cameraman had stumbled upon the people in their native setting and then unobtrusively documented their daily lives. John L. Jackson explains that “western anthropologists’ authority is predicated on displaying an intimate and exhaustive understanding of divergent cultural landscapes. The point has been to...understand those cultures as though one were looking through the natives’ own eyes.”³³ This happens explicitly in *In the Land of the Headhunters*, in which there is no trace of the white man. Certain shots, such as the seal hunting scene, were constructed to actually appear from the point of view of the native character. Curtis used this methodology to construct his film as authentic, despite the fact that it was rigidly scripted, directed, and edited.

In 1973, George Quimby and Bill Holm undertook an extensive restoration of the film, erroneously designating it a “full-length documentary motion picture.”³⁴ The use of the term documentary was shocking in light of the inaccuracies Curtis injected into the film, and even more so in light of how the footage was further changed by Quimby and Holm.³⁵ Wakeham argues that by calling Curtis’ work a documentary, Quimby and Holm overwrite the fact that “Curtis’s footage is a highly manipulated Euro-American construction of otherness.”³⁶ Upon rediscovery of Curtis’ original damaged film, Quimby and Holm added a soundtrack (recorded in collaboration with Kwakiutl people), edited footage, recreated lost scenes, and even rewrote the intertitles, reducing their number from forty-seven to eighteen. The reduction in intertitles is significant, because the 1973 titles give a documentarian

summary of each section before it occurs. The time-lag between the information in the intertitles and the image-track suggests what Wakeham labels “the insidious chronopolitics of western progress” - the white viewer, through the titles’ information, can make sense of strange Native behavior before the Natives even know it is occurring.³⁷ Wakeham finds the work of Quimby and Holm vehemently anti-Native, despite the fact that they collaborated with the Kwakiutl during the restoration process.

Yet, historically, cooperation of Native Americans was an essential component in Curtis’ success. Martha Sandweiss reminds us that “to see every photograph of an indigenous person as an act of cultural imperialism” is to deny the agency and ambitions of the sitter.³⁸ Sandweiss uses Geronimo as an example of an indigenous person who profited financially from being photographed. Geronimo appears in the first volume of *The North American Indian*, wrapped in an old blanket and wearing a pensive expression that, in conjunction with Curtis’ caption labeling it a “retrospective mood,” associates Geronimo with a fading past [Image 7]. However, the year before he posed for Curtis, Geronimo went to the World’s Fair in St. Louis where he sold autographs and photographs of himself, making about two dollars a day in profit.³⁹ The year after his encounter with Curtis, Geronimo published an autobiography that included pictures of him in both traditional and modern garb. The inclusion of both styles of dress implies, unlike Curtis’ work, that Geronimo is able to adapt to changes and hold numerous roles in society.⁴⁰ Geronimo was able to provide himself with agency and a voice to compete with Curtis’ because there was enough public interest in his already-famous story to make selling photos and an autobiography feasible. It would have been much more difficult for less well-known Native American subjects to take the same control over their own public image.

Yet just because the stories of unknown Curtis subjects have largely been lost to history does not mean that those stories were never present. The subjects may simply have wanted the monetary reward for posing as models. Maybe they were intrigued by the idea of having their images captured for all of posterity. Maybe, as in the case with the potlatch ban in the North Pacific, they saw the opportunity to subvert white attempts to repress their culture. This is true in at least one case in which Curtis paid three Navajo men to perform a dance on film. Unbeknownst to him, they performed it backwards. It may have been small acts of resistance like these that motivated Curtis’ subjects to work with him.

For some years after his death, Curtis’ work fell into obscurity. It gained in popularity again in the 1960s, which Christopher Lyman

argues is due to increasing pride in minority heritage. Lyman believes that Native Americans saw “an opportunity to universalize the nobility and wisdom suggested there and claim it as a natural, sometimes even a genetic, Indian trait” in Curtis’ work.⁴¹ Yet such a broadly sweeping understanding of the photographs is still problematic. It has not been until recently that there have been more in-depth examinations of Native American cooperation with Curtis.

In 2006, Dr. Brad Evans of Rutgers University rediscovered a copy of Curtis’ original film footage that had been untouched by Quimby and Holm. This discovery served as the impetus for looking at Curtis’ oeuvre in a new light - not the romanticized picture of a vanishing race as originally presented by Curtis, nor as a factually sound documentary as Quimby and Holm suggested - but rather as evidence of intercultural exchange. The project sought to present Curtis’ work as “both colonial (mis)representations *and* portraits of ancestors, documents of cultural survival *as well as* historical loss.”⁴²

In collaboration with this project, two photography exhibits were developed to put Curtis in dialogue with modern Kwakiutl culture.⁴³ The first, Sharon Eva Grainger’s *Staging Edward Curtis*, involved restaging Curtis photographs with 21st century Kwakiutl people, who were given the choice by Grainger of how to dress and pose. Grainger hoped to highlight the dynamics between photographer and subject in suggesting that “we might re-view Curtis’ work as the result of similar processes of negotiation—as products of both colonial romanticism and Kwakiutl self-assertion.”⁴⁴ The second photography exhibit, *Old Images/New Views*, consisted of twenty Curtis photographs accompanied by written responses from leaders in the Kwakiutl community. Some of the responses were angry, discussing feelings of oppression and powerlessness, and the assertion that Curtis infantilized his subjects. Other responses however, were more grateful to have records of their peoples’ past. One imagined how the subjects may have laughed as they posed for Curtis, dressing in fancy obsolete outfits and pantomiming traditional chores. One respondent, William Wasden Jr., chose to respond to a photo of his great grandparents, explaining that he saw in it the “cultural strength and identity” of his family lineage.⁴⁵

It must be conceded that the very definition of the “authentic” is malleable, and, as such, understanding of Curtis’ legacy will vary greatly. There can be no conclusive answers about why Native Americans agreed to pose for Curtis, but it is essential to remember that each Curtis subject was an individual with specific rationale for his or her decision to do so. Nonetheless, Native cooperation did indirectly contribute to the proliferation of harmful vanishing-race rhetoric.

Depending on the context in which one considers Curtis, his work can be conceived as either socially irresponsible manipulations of reality or an earnest attempt to preserve Native culture. Although evidence points more to the former, it is true that Native Americans have found aspects of Curtis' work useful in defining their own heritage and complex history. Ultimately, it is this re-appropriation of cultural texts while also maintaining an awareness of the past that exemplifies the very spirit of resilience which makes the notion of a vanishing race impossible.

Image 1

Assiniboine Camp

Edward Curtis

1908

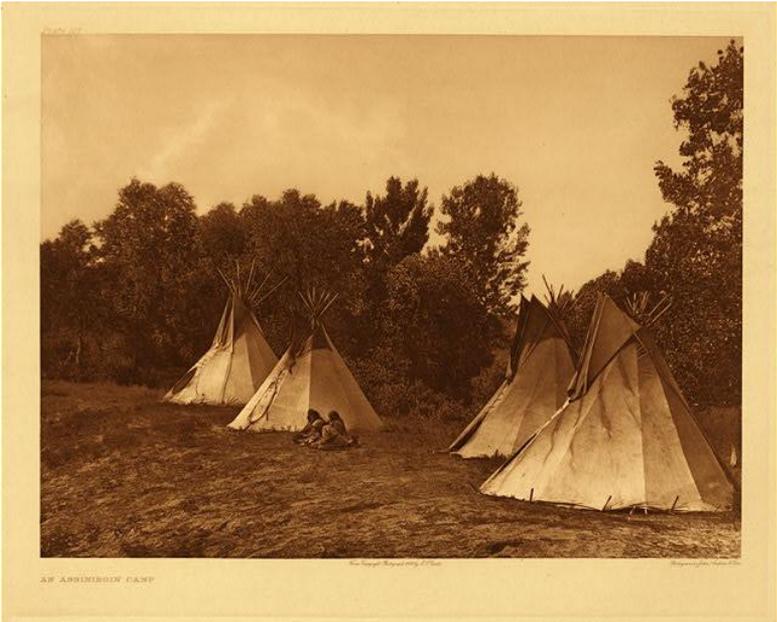


Image 2

Type d'habitation de sauvages

Photographer Unknown

1900



Image 3

Curtis was a savvy self-promoter.

This simulated newspaper gave glowing reviews to the “picture-opera.”

c.1911



Image 4
Sunset in Navajo-Land
 Edward Curtis
 1904

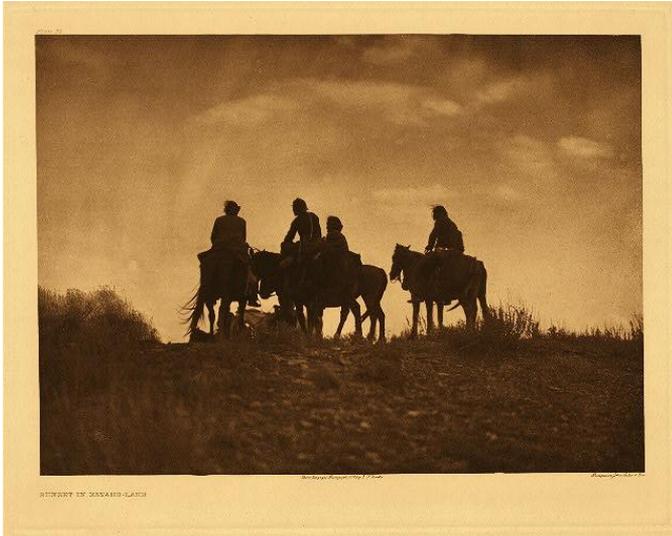


Image 5
 Lithograph
 1911

INDIAN LAND FOR SALE

GET A HOME
 OF
 YOUR OWN
 EASY PAYMENTS



PERFECT TITLE
 POSSESSION
 WITHIN
 THIRTY DAYS

FINE LANDS IN THE WEST
 IRRIGATED IRRIGABLE GRAZING AGRICULTURAL DRY FARMING

In 1910 THE DEPARTMENT OF THE INTERIOR SOLD UNDER SCALED BIDS ALLOTTED INDIAN LAND AS FOLLOWS:

States	Acres	Amount Bids	States	Acres	Amount Bids
Colorado	5,211.21	\$7.27	Oklahoma	24,664.00	\$19.14
Idaho	17,013.00	24.85	Oregon	1,020.00	15.43
Kansas	1,684.50	33.45	South Dakota	120,445.00	16.53
Montana	11,034.00	9.86	Washington	4,475.00	41.37
Nebraska	5,641.00	36.65	Wisconsin	1,066.00	17.00
North Dakota	22,610.70	9.93	Wyoming	865.00	20.64

FOR THE YEAR 1911 IT IS ESTIMATED THAT **350,000 ACRES** WILL BE OFFERED FOR SALE

For information as to the character of the land write for booklet, "INDIAN LANDS FOR SALE," to the Superintendent of U. S. Indian School at any one of the following places:

CALIFORNIA Sacramento	MINNESOTA Duluth	MISSOURI St. Louis	NEBRASKA Omaha	NEW YORK New York	OHIO Cincinnati	PENNSYLVANIA Philadelphia	RHODE ISLAND Providence	TENNESSEE Nashville	TEXAS Austin	VERMONT Montpelier	WISCONSIN Madison	WASHINGTON Seattle	WEST VIRGINIA Martinsburg	WYOMING Cheyenne
--------------------------	---------------------	-----------------------	-------------------	----------------------	--------------------	------------------------------	----------------------------	------------------------	-----------------	-----------------------	----------------------	-----------------------	------------------------------	---------------------

WALTER L. FISHER,
 Secretary of the Bureau

ROBERT G. VALENTINE,
 Commissioner of Indian Affairs.

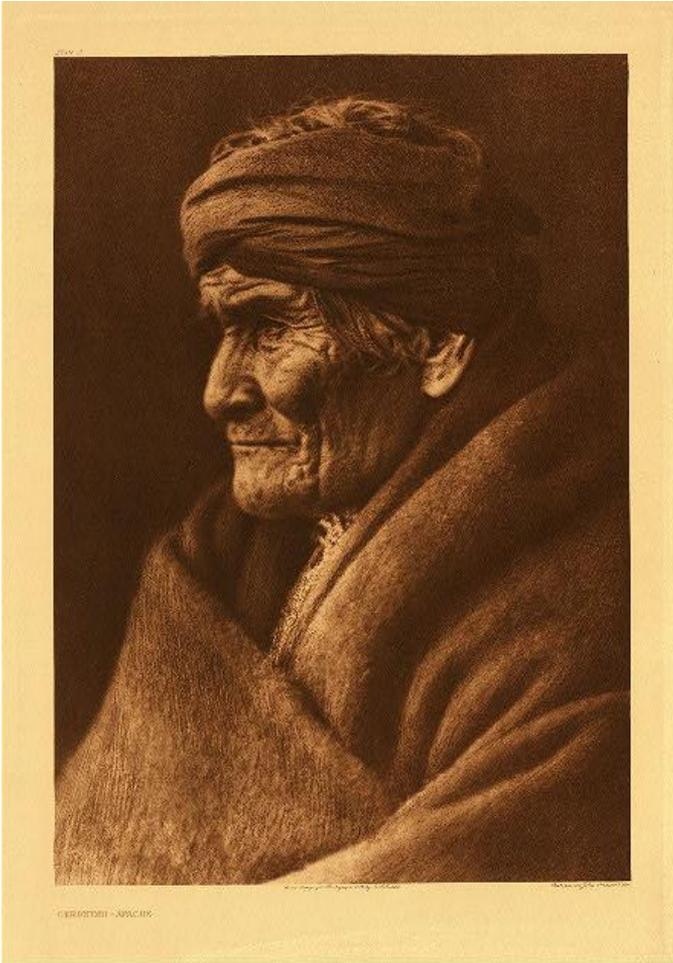
Lib. of Congress, Rare Book Div.: Broadside Portfolio 240, No. 24.

Image 6
Oglala War Party
Edward Curtis
1907



OGLALA WAR PARTY

Image 7
Geronimo- Apache
Edward Curtis
1907



¹ Gerald Vizenor, “Edward Curtis: Pictorialist and Ethnographic Adventurist,” in *True West: Authenticity and the American West*, eds. Willam R. Handley and Nathaniel Lewis (Lincoln: University of Nebraska Press, 2004), p. 183.

² Christopher M. Lyman, *The Vanishing Race and Other Illusions* (Washington D.C.: Smithsonian Institution Press, 1982), p. 19.

³ As quoted in: Fatimah Tobing Rony, *The Third Eye: Race, Cinema, and Ethnographic Spectacle* (Durham: Duke University Press, 1996), p. 27.

⁴ Christopher Cardozo, ed., *Native Nations: First Americans as seen by Edward S. Curtis* 1st ed. (Boston: Little, Brown 1993), p. 7.

⁵ Pauline Wakeham, "Becoming Documentary: Edward Curtis's In the Land of the Headhunters and the Politics of Archival Reconstruction," *Canadian Review of American Studies*, 36.3 (2006), p. 283.

⁶ Mark Antliff and Patricia Leighton, "Primitive," in *Critical Terms for Art History*, by Robert S. Nelson and Richard Shiff (Chicago: University of Chicago, 2003), p. 218.

⁷ Rony, *The Third Eye*, p. 7.

⁸ Antliff and Leighton, "Primitive," p. 227.

⁹ Some of the music was quotation of actual Native American music and some of it was simply a musical interpretation of whatever action or scene Curtis was discussing at that point. Gidley, *Sight and Sound*.

¹⁰ Mick Gidley, "The Vanishing Race" in *Sight and Sound: Edward S. Curtis's Musical of North American Indian Life*," *Prospects: An Annual of American Cultural Studies*, 12 (1987), p. 72.

¹¹ Gidley, "Vanishing," p. 72.

¹² Martha A. Sandweiss, "Picturing Indians: Curtis in Context," in *The Plains Indian Photographs of Edward S. Curtis*, by Edward S. Curtis (Lincoln: University of Nebraska Press, 2001), p. 16.

¹³ Gidley, "Vanishing," p. 75.

¹⁴ *Ibid.*, p. 82.

¹⁵ *Ibid.*, p. 72.

¹⁶ "Ranch Life and the Hunting Trail," PBS: New Perspectives on the West, accessed April 12 2010, <http://www.pbs.org/weta/thewest/resources/archives/htm>.

¹⁷ Cardozo, *Native Nations*, p. 21.

¹⁸ Gidley, "Vanishing," p. 70.

¹⁹ The Dawes Act remained in effect until 1934.

²⁰ Mick Gidley, *Edward S. Curtis and the North American Indian, Incorporated* (Cambridge, New York: Cambridge University Press, 1998), p. 23.

²¹ For example, beef was withheld from Plains people who did not want to send their children to boarding school.

²² Gidley, *Edward S. Curtis*, p. 20.

²³ *Ibid.*, p. 54.

²⁴ Aldona Jonaitis, *Chiefly Feasts: The Enduring Kwakiutl Potlatch* (Vancouver: American Museum of Natural History, 1991), p. 11.

²⁵ *Ibid.*, p. 25.

²⁶ Bill Holm and George Irving Quimby, *Edward S. Curtis in the Land of the War Canoes: A Pioneer Cinematographer in the Pacific Northwest* (Seattle: University of Washington Press, 1980), p. 96.

²⁷ For example, one man played both the heroine Naida's father and her captor.

²⁸ Wakeham, "Becoming Documentary," p. 299.

²⁹ Wakeham, "Becoming Documentary," p. 280.

³⁰ *In the Land of the Headhunters* was not a commercial success, and in 1924, dire straights forced Curtis to sell the master print for only \$1500 to the American Museum of Natural History. The Field Museum acquired a damaged, incomplete print of the film in 1947, which was eventually rediscovered by Quimby and Holm.

³¹ Quimby and Holm, *Land of the War Canoes*, p. 34.

³² Rony, *The Third Eye*, p. 7.

³³ John L Jackson, "An Ethnographic Film flam: Giving Gifts, Doing Research, and Videotaping the Native Subject/Object," *American Anthropologist*, 106.4 (2004), 33.

³⁴ Quimby and Holm, *Land of the War Canoes*, preface.

³⁵ They even renamed the film, calling it *In the Land of the War Canoes*.

³⁶ Wakeham, "Becoming Documentary," p. 309.

³⁷ Ibid., p. 305.

³⁸ Sandweiss, "Picturing Indians," p. 30.

³⁹ Ibid.

⁴⁰ Ibid., p. 31.

⁴¹ Lyman, *The Vanishing Race*, p. 21.

⁴² Brad Evens and Aaron Glass, "Edward Curtis Meets the Kwakwaka'wakw: In the Land of the Head-Hunters," Rutgers University, accessed April 12 2010, <http://www.curtisfilm.rutgers.edu>.

⁴³ Unfortunately, these images are only available online and cannot be copied for this paper. To see them, visit <http://www.curtisfilm.rutgers.edu>

⁴⁴ Evans and Glass, "Edward Curtis."

⁴⁵ Ibid.

The Rise of the American Academy of Political and Social Science, 1945-1970

Dave Spandorfer

During the American Academy of Political and Social Science's fifty-fifth annual meeting, Adolf A. Berle, Jr. and Julius Katz-Suchy pushed and insulted each other as they struggled to control the stage's microphone. Katz-Suchy, the permanent Polish delegate to the United Nations, had concluded his prepared remarks on the second day of the Academy's annual meeting, entitled *Lessons from Asia*. He had been invited to the Academy's fifty-fifth annual meeting, held on the fifth and sixth of April 1951, to give a different perspective of the Korean War. But instead of seeking conciliation, Katz-Suchy upbraided American imperialism, attacked the country's capitalist impulses, and lauded the Soviet Union's effort in Korea. After being prodded by the meeting chairman to end his hour-long speech, Katz-Suchy concluded that "as for the struggle in Korea, the aggressive actions of the United States imperialism has kept the country from peaceful unification of north and south and its complete liberation from foreign domination." Met with laughter and ridicule, Katz-Suchy folded his twenty-page speech and slowly walked off the stage.¹

Berle, a former United States Under Secretary of State, followed Katz-Suchy and welcomed the Academy's crowd of "Fellow imperialists, conquerors, and capitalists." As the Polish delegate stepped off the platform, Berle turned to him and said "When my esteemed friend is making one of his periodic visits to take back a report to the Russian general who commands the—." But Berle's speech soon transitioned from sarcastic to sober: "When he insulted American soldiers, who even now are dying in Korea, it is too much." Listening to the side, Katz-Suchy dropped his suitcase, jumped back on stage and ripped the microphone away from Berle. Katz-Suchy shouted to the audience that "American soldiers are killing women and children in Korea." Berle seized back the microphone but was shoved back. As Katz-Suchy's face turned bright red, Berle grabbed him and pulled him to the floor. For moments, the two wrestled as onlookers pounded their feet and cheered for Berle.² The fight was broken up only when C. A. Kulp, the vice president of the Academy and chairman of the meeting, threw his body in the middle and separated the two.³

The fight was remarkable not because of the backgrounds of the two, but because the melee occurred during a social science meeting ostensibly centered on academic discussion. Newspapers around the country reported on the fight in detail. The *New York Times* and *Chicago Tribune* covered the altercation on its front page the next day. The day after, a follow-up story ran on the *Time's* seventh page. The *Philadelphia Inquirer*, the *Philadelphia Bulletin*, and numerous other papers detailed the fight as a cover story. Unimaginable a few years earlier, the coverage that the tussle generated reflected the social sciences' new role after World War II. Between 1945 and 1970, policy debates centered on social science research, Americans increasingly subscribed to academic journals, and newspapers eagerly reported on the latest social science finding. An afterthought in policy discussions for most of American history, the social sciences were now a critical component of public debate and, as the fight evinced, often emotional and contentious.

No organization took advantage of this shift better than the American Academy of Political and Social Science. Catering to academic scholars, government officials, and the general public alike, the Academy had existed since 1892 but truly thrived as Americans turned to the social sciences. Academy meetings were better attended, press coverage grew, and membership and subscriptions boomed. This paper answers two questions: why did Americans increasingly turn to the social sciences? And how did the American Academy of Political and Social Science, more than any other scholarly organization, capitalize on the new fascination with the social sciences?

The Annual Meetings

The American Academy of Political and Social Science was founded as a forum for both professionalized experts and a general public to promote, discuss, and further social science research. Meetings like the 1951 Lessons from Asia embodied the Academy's goal by assembling a diverse audience to tackle social science issues. Since the 1890s, members from various organizations gathered, read papers, and delivered speeches based on new social science findings or, such as in Katz-Suchy's case, proposed new policy measures. Traditionally, about 900 to 1,000 people attended the meetings, which also brought in book publishers and less prominent speakers.⁴ While meeting demographics varied by topic, attendees always hailed from an array of backgrounds. The 1968 roster of delegates typified the range. The audience came from the Society for Advancement of Management, the embassies of Ecuador and Italy, the University of North Dakota, and the American Gas Association.⁵ The President of the American Academy wrote in the Report to the Board of Directors that, in the 1966 meeting alone,

“Twenty-six countries sent official delegations, also 12 missions to the United Nations, 12 public jurisdictions, 9 federal government agencies, 173 American and foreign university and colleges, and 159 international, civil, scientific and commercial organizations.”⁶

These meetings usually centered on foreign affairs and were especially noteworthy for the speakers they attracted. For the Academy’s fiftieth Annual Meeting in 1946, Eleanor Roosevelt urged the Academy’s members to remember American history when devising Soviet policy.⁷ In 1954, Nationalist China’s ambassador to the U.S. warned that Chinese Communists had sinister intentions in Indo-China. In 1960, Pennsylvania senior senator Joseph Clark, a big donor to the Academy, spoke on the limited progress toward banning nuclear tests, while his state’s junior senator Hugh Scott believed direct negotiations with Communist China would inevitably fail. Other speakers that year included the Assistant Secretary of State of Inter-American Affairs, the Assistant Secretary of State for African Affairs, and the Director of the Foreign Service Institute. Ambassadors were also regular speakers. Between 1945 and 1965, the Norwegian, Algerian, Turkish, Yugoslavian, Indian, Indonesian, British and Panamanian ambassadors all spoke to the Academy. Governors, members of the United States House of Representatives, renowned professors, and even U Thant, the future U.N. Secretary General, were all speakers. Meetings on domestic topics - such as “Are We Deteriorating or Improving?” - attracted major generals, university presidents, attorneys general, and heads of organizations like the ACLU.

The Growth of the American Academy of Political and Social Science

The meetings brought together members and garnered interest for the Academy’s journal. The Academy heavily marketed its renowned flagship publication, the *Annals of the American Academy of Political and Social Science*, a journal that devoted each issue to a unique policy issue, examined through the lens of social science research and perspective from politicians, businessmen, and leading influential people. As the Academy’s meetings grew in popularity, so too did membership to the Academy. In 1940, membership—which entitled one to an invitation to the Annual Meeting, a subscription to the *Annals*, and discounts on past volumes—stood at 8,687. In the twenty-five years afterwards, that number more than doubled, climbing to 13,706 in 1950 and then to 20,071 in 1965. By 1968, membership reached 25,158, an increase of over eighty-six percent from the start of the decade and a three-fold increase since the start of World War II.⁸

The Academy’s rapid growth and heightened exposure started during the war and accelerated after 1945. The Academy undertook

numerous efforts during the war to stay relevant and informative, battling paper shortages, donating used copies to occupied countries, and distributing government-sanctioned pamphlets that called for new postwar institutions.⁹ *Annals* topics kept the organization relevant, tackling subjects connected to the war effort. Between 1942 and 1945 seventeen issues, out of a possible twenty-four, explicitly related to the war in its title. Issues not explicitly connected to the war were still tied to its developments, such as “India Speaking” and “The United Nations and the Future.” Readers responded positively. During 1943, 2,470 members joined, 40 percent more than had joined in 1942. That amount only rose the next year.¹⁰

These initiatives were overseen by Academy president Dr. Earnest Minor Patterson, an economist and professor at the Wharton School of Finance and Commerce at the University of Pennsylvania, and Academy editor Dr. Thorsten Sellin, a renowned Swedish criminologist, who also worked at the University of Pennsylvania.¹¹ Even as both taught and were prolific publishers during their professorial tenures, they were pillars of stability at the Academy. Patterson served as Academy president for over twenty years - 1930 until 1953 - and Sellin as *Annals* editor for nearly forty years - from 1929 until his retirement in 1968. As the president’s role prescribed, Patterson managed organizational issues and the Annual Meeting, while Sellin edited *Annals* volumes and chose *Annals* topics. Together, and along with their board of directors, they boosted membership during and in the years after the war.

The Academy faced challenges and changes even as its readership grew. In 1951, a group of Serbians sued the Academy for one million dollars after an *Annals* writer called them fascists. The Academy settled for \$500 and an apology.¹² Between 1952 and 1953, the Academy underwent drastic organizational and leadership turnover. In 1952, Patterson sold the old Academy building to the University of Pennsylvania and purchased another building nearby. While the move had dire ramifications decades later, the Academy prided the transaction as a sign of its growth. The Board of Directors boasted that, “Our new location and equipment are the best we have ever had.”¹³ The change of location was especially notable because only four years earlier, the Academy had moved out of its rented space and purchased its first permanent office. The second move reflected the Academy’s ambition to further boost its size and influence. The next year a slew of personnel changes brought in new leaders. Vice-President Carl Kelsey and Secretary Dr. J.P. Lichtenberger, both of whom had been members of the Academy since 1912, died months apart in 1953. President Earnest Minor Patterson also stepped down in May of the same year, making

room for then *Annals* Associate Editor Dr. James C. Charlesworth to succeed him as president. The Academy flourished under his presidency.

A ruddy-faced workaholic and a critic of youth culture, Charlesworth was a former professor at the University of Pittsburgh before becoming supervisor of the education program at the University of Pennsylvania's Institute of Local and State Government. He was, to colleagues and Academy members, a controversial intellectual. He called for barring the illiterate from voting, fought to revamp American leisure, and flatly told the *Philadelphia Bulletin* that "America is progressing technically and industrially. But the People are deteriorating."¹⁴ As Academy president, however, he was committed to expanding the influence and readership of the Academy. He was also remarkably popular. George Fox Mott, a long-time Academy member and occasional special editor, would later label Charlesworth the Academy's greatest modern president.¹⁵

From an economic perspective, the praise was well deserved. Under his watch, the American Academy of Political and Social Science increased its reach, its audience, its membership, and its funds. Charlesworth was an ardent supporter of expanding the Academy's role in the social sciences. Under his tenure, the Academy released new publications, the most notable of which were its series of annual monographs. Charlesworth brought in noteworthy speakers to the Academy's meetings and fostered organizational culture by inviting employees to his Lancaster home for rifle practice.¹⁶ But his crowning achievement was the Academy's rise in membership. He vigorously promoted the Academy and its *Annals* through an inundation of mail promotion. Advertising costs shot up from \$2,543 in 1953 to \$48,470 in 1969, a staggering 1,900 percent increase. But the rate of return during the time was also relatively high, reaching around 2.5 percent in 1957.¹⁷ As the marketing proved successful, revenue rose sharply. 1953 receipts from membership dues, sales, advertising, income from investment, and other sources amounted to \$140,030. By 1969, it stood at \$326,038.¹⁸

The Social Sciences in the Postwar Years

However, Charlesworth and the leadership around him do not fully explain the remarkable rise of the Academy. Larger factors and developments in the decades after the Second World War drove the Academy's increased influence and membership. The Academy's growth was coupled with America's fresh fascination with the social sciences: economics, political science, international affairs, psychology, sociology, and anthropology—all subjects of the *Annals*—were embraced by the American public at unprecedented levels. The new cultural shift began during the war and picked up steam in the ensuing decades. Just as the

First World War lent social scientists new opportunities in the planning effort, World War II created new positions—administrative and evaluative—for social scientists. The Applied Psychology Panel used psychological testing to choose and assign military personnel, while teams of psychologists in the Wartime Relocation Authority studied the internment of Japanese immigrants and Japanese-Americans.¹⁹ Economists managed the budget and headed war agencies like the War Production Board and the Office of Price Administration (OPA).²⁰ Political scientists developed propaganda and communication researchers evaluated its effectiveness.

The recent experiences of the war led to funding increases for scientific and medical research, much of which made its way to the behavioral and social sciences. Federal dollars directed towards research and development ballooned from around \$100 million in 1940 to nearly \$1.5 billion five years later.²¹ These expenditures continued to climb after the war as Americans viewed funding for research and development as a bulwark against the Soviet Union. But only after the Soviets launched Sputnik in 1957 did research spending for the social sciences truly take off. Sputnik caused many Americans to believe their country was in danger of falling behind the more industrious and scientifically advanced Soviets. The public clamored for increased federal funds to support basic research and education.²² Science spending immediately shot up.

Funding for the social sciences rode the coattails of increased expenditure for the hard sciences and, by the late 1950s, stood at unprecedented levels. But perhaps more important than the new funding was where the funding went. Federal research money traditionally was directed to federal employees; now, money was awarded to research universities and think tanks, both of which produced open research required from the new funding.²³ The RAND Corporation, once a minor advisor to the Air Force, exemplified this trend. The research organization helped the Department of Defense during the Second World War and, after celebrated success, received a steady stream of federal grants in the postwar years.²⁴ As money went to universities, research became prioritized on campuses. New institutions for the social sciences sprang up across campuses, new faculty members were hired, and more emphasis was placed on publication output. The *Annals*, which published many of these writings, was a chief beneficiary.

Especially during the 1950s, private foundations funded the social sciences and encouraged research. Politicians after the war wanted natural science, not social science, to be the sole beneficiary of an inflated National Science Foundation (NSF) budget.²⁵ In 1959, funding for the social sciences amounted to all of 1.6 percent of the NSF's fiscal

year budget.²⁶ Philanthropic organizations made up the slack. The Behavioral Sciences Program at the Ford Foundation gave out nearly \$49 million during a seven-year period, most of which went to anthropology, psychology, and sociology.²⁷ Along with the Ford Foundation, the Russell Sage Foundation and the Carnegie Corporation redoubled their efforts to fund the social sciences, giving it grant priority.²⁸

Social Science Finds a New Role

While the social sciences grew, they gained new influence in politics and especially in the executive branch. Harry Truman and Dwight Eisenhower rarely sought their advice—they often ignored the newly created Council of Economic Advisors—but social scientists found homes in the John F. Kennedy and Lyndon Johnson administrations. Adlai Stevenson, the two-time unsuccessful nominee for president, pioneered the marriage between social scientists and the president by employing academics as campaign policy advisors. But under Kennedy, social scientists and politicians found a winning combination. The Massachusetts senator relied on social scientists as advisers to both shape his political platform and capture liberal and intellectual support for the Democratic presidential nomination.²⁹ Though Richard Nixon, a proponent of the social sciences during his vice presidency, also used scholars in his 1960 Republican campaign, their role was less prominent and less publicized. Kennedy's defeat of Nixon inaugurated a tradition of making social scientists policy advisors. According to David Featherman and Maris A. Vinovskis: "After the 1960 campaign, recruiting academic advisers on behalf of presidential candidates became an established component of American presidential politics."³⁰ Such academics - like John Kenneth Galbraith, a prominent *Annals* writer - were used in transition teams and later prominently placed in federal posts.

The trend expanded dramatically under President Lyndon Johnson. Johnson leaned extensively on social scientists to design his Great Society programs and American social scientists became regular appointees in his administration. After his first thirty months in the White House, Johnson boasted that he had appointed more academics than any administration in history.³¹ A 1966 survey found at least 8,400 social and behavioral scientists in the federal government: forty percent economists, twenty-two percent psychologists, and fifteen percent labeled general social scientists - which included sociologists - and 1.5 percent anthropologists and 6.3 percent historians.³² Their presence in the administration was not just sweeping but significant. Johnson admitted to a crowd at the Brookings Institute that, "There is hardly an aspect of the Great Society's program that has not been molded, or remolded, or in

some way influenced by the communities of scholars and thinkers.”³³ The Great Society and the War on Poverty—Johnson’s domestic programs—were planned and evaluated by social scientists, while Head Start, Job Corps, and the Revenue Act of 1964 were profoundly shaped by social science research.³⁴ Social scientists had assumed the mantle as one of the chief architects of America’s public policy.

Once blocked for funding by Congress, by the late 1960s social science was viewed as a remedy for the country’s ills and was held in higher esteem than ever before. As more Americans turned to social science, it found more assistance in Congress. Democratic-controlled legislatures during the 1960s expanded social science’s reach and resources. Congressman Dante Fascal, a Democrat from Florida, sponsored a bill to create new social science departments; Senator Walter Mondale called for a Council of Social Advisors.³⁵ Unsurprisingly, funding multiplied with vocal backing. Federal support for the behavioral and social sciences was \$803 million in 1966-68, up from \$384 million in 1961-62.³⁶ While federal government funding accounted for nearly half of social science research dollars, industry expenditures grew as well, financing a third of social science research in 1967.³⁷ Foundations continued to pour money into the social sciences, but their influence waned as federal and industry money played a larger and more influential role.

What Prompted the Rise of the Social Sciences?

The social sciences transformed from a scholarly fascination into a chief determinant of White House policy in less than two decades. What triggered such a stunning rise in the presidency, in politics and among the public? And why did it steadily accrue new importance within the country after 1945? According to Henry Aaron, a senior staff economist in the Johnson administration, social science research’s new influence was rooted in two postwar shifts: maturing methodology and rapid growth in collegiate education.³⁸ Methods of quantitative analysis were cemented and fine-tuned during the war and were later picked up and utilized by social scientists - such as in Johnson’s Planning Programming Budget Systems. While social scientists had called for streamlined methodology to make social science more scientific throughout the first half of the twentieth century, this was only being reached in the 1960s.³⁹ As research funding proliferated, statistical work based on a clear methodology became a way to differentiate oneself from the new glut of social science research. Competition with other scholars pushed statistical refinement and added to the field’s perception of technical precision.⁴⁰ Peter DeLeon writes that the social sciences and its role as a policy science could not take advantage of political

opportunities until it was secure in its own intellectual developments and organizational and intellectual resources.⁴¹ During the Kennedy and Johnson administrations, social scientists claimed to have realized this goal: the field underwent a “scientification” and research was said to objectively assess and improve on society. In America—and even in countries like Sweden and the United Kingdom—many held that modern social science represented “a technologically and economically determined process of social development” that “would allow policy to be based on ‘objective’ scientific information.”⁴² A new reliance on social science came from the belief that it was now a scientifically proven field divorced from ideological subjectivity and even human error.

The growth of undergraduate and graduate education, especially in the wake of the G.I Bill, also helped launch the social sciences to the forefront of policy debates. The Depression had debilitated universities and crippled their endowments. But the GI Bill, which financed World War II veterans’ tuition with federal dollars, enabled universities to expand rapidly as their enrollments swelled. For instance, the University of California system’s student fees rose fivefold from 1937 to 1948; Yale University’s more than doubled.⁴³ The GI Bill supplemented fees at both private and public universities, accounting for fifty-six percent and sixty-seven percent of all tuition dollars respectively. The new money enabled universities to embark on hiring sprees. Full-time professors increased dramatically between 1955 and 1967: Princeton and Stanford approximately doubled their number of professors and the University of Arizona and Michigan State University nearly tripled their number of professors.⁴⁴ Coupled with the influx of new social science positions came a dramatic rise in doctorates granted in the social and behavioral sciences. The Great Depression all but froze professorial hiring and most professors were forced to take salary cuts. After the G.I Bill, a large percentage of faculty were emeriti or retired, opening the doors for younger social scientists. The Behavioral and Social Sciences Survey Committee in 1969 found that in 1957, there were 1,677 Ph.D. degrees granted in the social sciences and by 1967 that numbered reached 3,915.⁴⁵ Undergraduate education growth was just as significant, as bachelor degrees granted in the behavioral and social sciences constituted a growing share of total awarded degrees.⁴⁶ By the late 1960s there were more students studying social science—and more professors and researchers guiding them—than ever before.⁴⁷

The expansion led to a deluge of new research from new social scientists. But postwar culture in universities also changed, leading to more emphasis on publishing and research. The approval of one’s peers, which hinged on both the quantity and quality of one’s publications,

began to outweigh teaching as the determinant for tenure.⁴⁸ During the late 1960s, American universities required that to get tenure even faculty members at minor universities had to publish prolifically. It became “publish or perish.”⁴⁹

With more research, more social scientists, and more social science students, interest in social science fields reached new levels. Just as the American Academy of Political and Social Science grew during this time, so too did its peer organizations. From 1949 to 1959, membership in the American Sociological Association (ASA) increased from 2,673 to 6,436 and income for the organization went from \$22,556 to \$145,406.⁵⁰ During the 1960s attendance at their annual conference more than doubled and membership ballooned to 13,357.⁵¹ The ASA also launched new publications between 1945 and 1970, expanding from one journal in 1956 to nine thirteen years later. Other organizations had similar fates. The American Psychological Association jumped from 4,661 members in 1947 to 25,800 in 1967; the American Political Science Association grew from 4,598 to 14,685 members.

While membership multiplied, knowledge of the social sciences became a sign of respectability for many Americans. In the years after the war, obituaries in the *New York Times* referenced the deceased’s affiliation with the American Academy of Political and Social Sciences. The *Times* even had a wedding announcement that noted the groom’s membership in the Academy.⁵² The desire to be associated with an institution of academic learning reflected the postwar importance attached to social sciences. Scholars assumed a new meaning and status in American life. According to Roger Nisbet:

In all the polls and surveys of prestige in American society, the scientist and scholar ranked high. In fact, in the period beginning with the end of World War II the scientist-scholar became a very real hero in American society, joining a circle that had, with rarest exceptions, been limited to politicians, generals, explorers, artists, and sports luminaries.⁵³

Capitalizing on the Fascination

As much as any scholarly institution in the country, the American Academy of Political and Social Science capitalized on the public’s new valorization of the social sciences. While most research journals marketed exclusively to members in a specified field (*American Political Science Review* was marketed almost exclusively to political scientists), the Academy was unique among academic institutions due to the variegated backgrounds of its members. The Academy’s audience was composed nearly equally of members from business, education, and

professional circles, while public officials, given their small number, made up an exceedingly disproportionate percent of members. But membership was not just limited to professional diversity. Academy members hailed from an array of economic backgrounds, ranging from the wealthy to those making under \$5,000 a year. Members, however, were homogeneously well-educated. The 1961 survey revealed that ninety-seven percent of Academy members had graduated from college. The number is especially striking given that in 1960, only forty-five percent of high school graduates enrolled in college, a number far greater than just a generation earlier.⁵⁴ As more Americans entered and graduated college, Academy readership trended upward.⁵⁵

By the end of the sixties, the American Academy of Political and Social Science was reaching record revenue. Dr. Richard Lambert, an editor and later interim President of the Academy, wrote that during the late 1960s and early 1970s, “The Academy’s surplus of income over expenditures was so great that the federal tax officers began worrying us about the legitimacy of our non-profit status.”⁵⁶ In 1970, an auditor from the Internal Revenue Service said he was prepared to file a report recommending that the Academy’s tax exempt status be revoked.⁵⁷ Impressively, its financial success was sustained almost exclusively through membership dues, institutional *Annals* subscriptions, and advertising. Gifts, which were never solicited, made up only a small percentage of the Academy’s income and often went to sponsoring smaller meetings. By 1965, the Academy’s banks were stuffed with hard assets totaling \$120,000, securities worth half a million, cash around \$35,000, and membership dues at a relatively modest \$10.00 a year.⁵⁸ With such a high net income, the Academy easily financed Adult Education programs and its Annual Meetings, which often cost the Academy more than \$12,000.⁵⁹ The organization was able to comfortably pay Melvin Whiteleather, a renowned Philadelphia broadcaster, to devote a half hour of his radio program to detailing and discussing the most recent issue of the *Annals*.

As Academy subscriptions grew, so too did its influence. Though no parallel figure could be obtained from rival journals, 65.1 percent of readers shared the *Annals* with one or more readers; median readership per copy was three readers. Many articles were influential, such as a 1943 *Annals* article that promoted the novel idea of a “European Union.”⁶⁰ Other findings published in the *Annals* were reprinted in national newspapers, including ones about doctors’ distaste for science, police interrogation, and teenagers’ affection for pop stars.⁶¹ In 1968 alone, the Board of Directors Reported that “Two hundred and thirty-two request were granted to reprint material from THE ANNAL,” many of which went to republishing articles in books or for the federal

government.⁶² As the Academy grew in prominence, the organization expanded overseas: by the middle of the decade, members hailed from 105 foreign nations and made up a large percentage of Academy members.⁶³

Annals subscribers were also composed of students and libraries, the latter of which constituted a considerable portion of subscriptions. The Academy traditionally marketed issues towards private and public secondary schools.⁶⁴ Issues like *Bureaucracy and Democratic Government* were promoted for classroom use and even marked down for schools. Libraries alone made up about a third of total circulation - 4,000 within the U.S. and around 900 outside it - and welcomed the *Annals*.⁶⁵ One collegiate librarian quipped that “THE ANNALS is one of our most useful periodicals in the Library of Allegheny College.” Another public librarian in Pennsylvania stated that “The long thorough discussions of a subject make the publication very valuable to our college and research patrons—we supply a real need along this line.” A high school librarian in California wrote “I do not see how we could run our reference work without THE ANNALS. I surely hope we shall never have to.”⁶⁶

The *Annals*’ diversity in readership complemented its diversity in authorship. Authors came from federal institutions, like Chief of Research in the United States Department of Justice Bureau of Prisons. Other hailed from foundations such as the Russell Sage Foundation. *Annals* authors included journalists, lawyers, technocrats and businessmen. Politicians such as Ted Kennedy and Daniel Patrick Moynihan published in the journal during this era, writing important, research-based policy pieces. Primarily however, it was professors who published original research in the *Annals*. Galbraith, Talcott Parsons, David Reisman, Ernest Burgess, and Robert A. Dahl—five of the most influential social scientists during the 20th century—all wrote for the *Annals* between 1950-1970. They complemented hundreds of other university academics who published in the *Annals*.

The Academy suffered its fair share of difficulties between 1945 and 1970. Acts of God and acts of negligence often created havoc within the Academy. In 1968, the Academy’s building was ravaged by a lightning fire that impaired production and damaged its offices.⁶⁷ After the war it suffered from paper shortages, and later high paper expenses.⁶⁸ Mismanagement of funds was also rife. Moves to expand the Academy’s publishing arm beyond just the *Annals* only drained Academy funds. Between 1962 and 1970, the Academy published an annual monograph, which tackled new research in a social science field, such as mathematics, leisure studies or urban society. During these years, the organization published a combined 264,797 copies of monographs, but

sold only 28,057. Though remaining copies were most likely distributed to interested members, the publication cost the organization over \$22,000 in 1969 alone. Mercifully, monograph publication ceased during the 1970s. The Academy also lost members during the 1960s, even as it picked up new ones. In 1963, the Academy gained 4,430 new members—then the highest in history—but lost 2,859 during the same period. The Board of Directors noted that it usually lost one sixth to one fifth of the total membership in a given year, even as total membership continued to rise.⁶⁹

Conclusion

The American Academy of Political and Social Science hit a peak in popularity during the postwar era, a growth that began in earnest during the war and hit full stride during the 1960s. From its *Annals* to its annual meetings, the Academy's expansion was evident in record subscribers, noteworthy speakers, and ballooning profits. The inexorable expansion between the war and 1970 was not the consequence of a single factor. Instead, a confluence of causes and fortuitous circumstances enabled the Academy to take advantage of growing interest in the social sciences. Adept leadership—especially from James Charlesworth—vigorously promoted the *Annals*, orchestrated relevant Annual Meeting, and chose important topics for volumes. Impressive authors lined up to write for the *Annals* and bi-monthly issues spoke to the issues of the day.

Yet, larger factors truly triggered the Academy's rise. Social science research found new support from the federal government after the war. Thanks to the G.I Bill and the recovery of universities' tenuous financial situations, there was an abundance of new social science students, new professors, and new researchers. New research, backed by methodological refinement, seemed to verify and legitimize findings. Researchers emphasized publishing more than ever, and social science findings promised new cures for America's ills. With this outpouring came a new home for social science: in policymaking and, most notably, within the White House.

As social science research grew both in size and in prominence, the American Academy of Political and Social Science reaped the benefits. No other institution and no other journal in America as closely linked social science research with the general public. Subscribers came from across the country, across the globe, and across a wide variety of professions. With each volume focused on a single topic, the brightest minds in social science—including professors and politicians—had an open microphone to a receptive and diverse readership composed of businessmen, teachers, clergymen, journalists, and students and other well-educated individuals.

The postwar years ushered in a time of ballooning revenue, sky-high readership, and once unimaginable influence for the Academy. Robert Geiger called the period between the early 1950s and late 1970s, the “Golden Age” of social sciences. For the American Academy of Political and Social Science, who benefited and much as anyone from the expansion and rising status of the field, no other better term could more aptly describe the period. The Academy would later look back on the period as its finest years and its peak of prosperity.

¹ “Ex-U.S. Aid, Poland’s U.N. Envoy Tussle,” *Chicago Daily Tribune*, April 7, 1951, p. 1.

² Ibid.

³ “Adolph Berle and Polish U.N. Aide Tussle on Dais over Slur on G.I.’s,” *New York Times*, April 7, 1951, p. 1.

⁴ James C. Charlesworth, “Special Supplement: Seventy-Five Years of the Academy,” *Annals of the American Academy of Political and Social Science*, Vol. 360 (July 1965), p. 178.

⁵ “Roster of Members Seventy-Second Annual Meeting of the American Academy of Political and Social Science,” Black Scrap Book, American Academy of Political and Social Science Archives.

⁶ “Report of the Board of Directors to the Members of the American Academy of Political and Social Science for the Year 1966,” *Annals American Academy of Political and Social Sciences*, Vol. 371 (May 1967), p. 196.

⁷ William G. Weart, “Russian Ties Urged By Mrs. Roosevelt,” *New York Times*, April 6, 1946, p. 15.

⁸ “Report of the Board of Directors of Directors to the Membership of the American Academy of Political and Social Science for the Year 1950,” *Annals of the American Academy of Political and Social Science*, Vol. 274 (March 1951), p. 206; and “Report of the Board of Directors of Directors to the Membership of the American Academy of Political and Social Science for the Year 1969,” *Annals of the American Academy of Political and Social Science*, Vol. 389 (May 1970), p. 128. Another note: the Academy’s membership actually experienced a small decrease between 1959 and 1960 from 13,706 to 13,538. Still, this is a negligible drop most likely attributable to a price increase.

⁹ While paper rationing limited the Academy’s publications to just necessary issues of the *Annals* during the war, various governments funded pamphlets for mass distribution such as pamphlets suggesting a proposed International Monetary Fund and an International Bank for Reconstruction. The Academy also donated members’ old back copies - numbering over 5,000 - to worn-torn countries. Soldiers were drawn in too. In late 1944, 494 armed service members became Academy members. For more see: “Report of the Board of Directors of Directors to the Membership of the American Academy of Political and Social Science for the Year 1944,” *Annals of the American Academy of Political and Social Science*, Vol. 238 (March 1945), pp. 188-189.

¹⁰ “Report of the Board of Directors of Directors to the Membership of the American Academy of Political and Social Science for the Year 1943,” *Annals of the American Academy of Political and Social Science*, Vol. 232 (March 1944), pp. 182-4.

¹¹ The University of Pennsylvania had been an integral part of the American Academy of Political and Social Science since its inception. Edmund James, the founder of the Academy, was a professor at the university, as were several of his co-founders. The school would house the Academy during its early years and more recently, since 1998.

However, the two have stayed completely independent and their finances have been distinct since the Academy incorporated in 1891.

¹² “Blue Libel Suit Folder,” The American Academy of Political and Social Science Archives.

¹³ “Report of the Board of Directors to the Members of the American Academy of Political and Social Science for the Year 1952,” *Annals of the American Academy of Political and Social Science*, Vol. 286 (March 1953), p. 175.

¹⁴ Hans Knight, “Hard Boiled Egghead,” *Sunday Bulletin Magazine*, April 4, 1965, p. 4.

¹⁵ George Fox Mott, “Mott letter to Marvin E. Wolfgang: I became a member of the Academy...,” Dec 3, 1985, American Academy of Political and Social Science Archives. Charlesworth was not universally loved. Richard Lambert, a longtime editor who served under Charlesworth, noted in an interview “I have no sense of what precipitated those glowing reviews you report since my contacts were quite slight.” Richard Lambert, e-mail to author, September 6, 2010.

¹⁶ “Photos 1958-1962,” American Academy of Political and Social Science Archives.

¹⁷ Committee Report to Dr. James C. Charlesworth from Norman D. Palmer. January 8, 1957, American Academy of Political and Social Science Archives.

¹⁸ “Report of the Board of Directors to the Members of the American Academy of Political and Social Science for the Year 1969,” *Annals of the American Academy of Political and Social Science*, Vol. 389 (May 1970), p. 128.

¹⁹ Peter DeLeon, *Advice and Consent: The Development of the Policy Sciences* (New York: Russell Sage Foundation, 1988), p. 57.

²⁰ David L. Featherman and Maris A. Vinovski, *Social Science and Policy-Making: A Search for Relevance in the Twentieth Century* (Ann Arbor: University of Michigan Press, 2001), p. 43; DeLeon, *Advice and Consent*, p. 56.

²¹ Featherman and Vinovski, *Social Science and Policy-Making*, p. 42.

²² Roger L. Geiger, *Research and Relevant Knowledge: American Research Universities Since World War II*, (New York: Oxford University Press, 1993), p. 162.

²³ Featherman and Vinovski, *Social Science and Policy-Making*, p. 9: “The architect of federal civilian R&D policy was Vannever Bush, whose report *Science: The Endless Frontier* prescribed a highly decentralized infrastructure of civilian R&D (Zachary 1997). This prescription consisted of a network of major research universities and a set of mission-oriented federal agencies, each with an appropriate portfolio of funding opportunities to which researchers could apply in service of agency goals and in pursuit of academic scholarship.

²⁴ Henry J. Aaron, *Politics and the Professors: The Great Society in Perspective*, (Washington D.C., The Brookings Institution, 1978), p. 151.

²⁵ During the 1950s, attacks on the social sciences were rampant. In 1954, a Special House Committee designed to investigate tax-exempt foundations, noted that social sciences threatened changes in the American way of life, fostering empiricism, collectivism, and internationalism (Lawrence J. Rhodes, *A History of the American Sociological Association 1905-1980* (Washington D.C: American Sociological Association, 1981), p. 52). When discussing the National Science Foundation Bill, Senator H. Alexander Smith (R-NJ) remarked, “I have conceived of this as a bill for research in pure science, not in applied science. We are trying to subsidize pure science, the discovery of truth. This has nothing to do with the theory of life, it has nothing to do with history, it has nothing to do with the law, it has nothing to do with sociology” (Featherman and Vinovski, *Social Science and Policy Making*, p. 46). Even Senator William Fulbright, a hero to postsecondary education and namesake of Fulbright Grants,

noted “People simply don’t appreciate the significance of the social sciences, which means your legislators don’t either.” DeLeon, *Advice and Consent*, p. 21.

²⁶ Featherman and Vinovski, *Social Science and Policy-Making*, p. 47.

²⁷ *Ibid.* p. 46.

²⁸ Ellen Condliffe Lagemann, *The Politics of Knowledge: The Carnegie Corporation, Philanthropy, and Public Policy* (Middletown: Wesleyan University Press, 1989), p. 153.

²⁹ Featherman and Vinovskis, *Social Sciences and Policy-Making*, p. 49.

³⁰ *Ibid.* p. 49.

³¹ *Ibid.* p. 50: “Indeed, after his first thirty months in office, Johnson proudly announced that he had appointed more academics to federal positions than had any other president,” (Califano 1991; MacKenzie 1987; Wood 1993).

³² The Behavioral and Social Science Survey Committee, *The Behavioral and Social Sciences: Outlook and Needs* (Englewood Cliffs, NJ: Prentice-Hall, Inc., 1969), p. 214.

³³ Featherman and Vinovskis, *Social Science and Policy-Making*, p. 51. Featherman and Vinovskis take this from the speech *Government and the critical intelligence: An address by President Lyndon B. Johnson*, (Washington, D.C.: Brookings Institution, 1969).

³⁴ Melvin I. White, “Individual Income Tax Provisions of the Revenue Act of 1964: Discussion,” *The Journal of Finance*, Vol. 20, No. 2, (May 1965), p. 294.

³⁵ Featherman and Vinovskis, *Social Sciences and Policy-Making*, p. 53.

³⁶ *The Behavioral and Social Sciences*, pp. 22-23.

³⁷ *The Behavioral and Social Sciences*, p. 15.

³⁸ Aaron, *Politics and the Professors*, p. 151.

³⁹ Stephen Park Turner and Jonathan H. Turner, *The Impossible Science: An Institutional Analysis of American Sociology* (Newbury Park: Sage Publications, 1990), pp. 109 and 191.

⁴⁰ *Ibid.*, pp. 172-173. Turner and Turner summed up this trend by noting that “Competition for space in these journals, itself largely a new phenomenon, heavily favored statistical work.” They go on to write that “The more statistical and routinized the paper became, the more likely they were to get in a major journal, and even the minor journals began to emulate the more prestigious ones” (p. 172). This shift is also evident from the American Sociological Association’s proliferation of journals. As discussed below, the Association sponsored nine new journals between 1950 and 1970, an incredible increase. With more journals came a shift in the prestige. As Turner and Turner note, the fiercer, prestige-based competition resulted in a fiercer competition for space. The result, as Turner and Turner note, was polished statistical use: “And the increased competition for space in the best journals escalated the statistical refinements of submitted work,” p. 173.

⁴¹ DeLeon, *Advice and Consent*, p. 91.

⁴² Peter Wagner and Hellmut Wollmann, “Social Scientists in policy research and consulting: some cross-national comparisons,” *International Social Science Journal/Revue Internationale des Sciences Sociales*, 38.4 (1986), p. 603.

⁴³ Geiger, *Research and Relevant Knowledge*, p. 41.

⁴⁴ *Ibid.*, pp. 212-213.

⁴⁵ Featherman and Vinovskis, *Social Science and Policy-Making*, p. 51.

⁴⁶ *The Behavioral and Social Sciences*, p. 139. The Committee wrote: “if present trends continue, behavioral and social science bachelor degrees will have increased greatly not only in absolute numbers but also in relative numbers, up from 14 percent of all bachelor degrees in 1957 to 31 percent in 1977.”

-
- ⁴⁷ Ibid., p. 160.
- ⁴⁸ Turner, *The Impossible Science*, p. 96.
- ⁴⁹ Ibid., p. 172.
- ⁵⁰ Rhodes, *A History of the American Sociological Association 1905-1980*, p. 42.
- ⁵¹ Ibid., p. 52.
- ⁵² "Miss Monica Chen is Married Here," *New York Times*, April 17, 1955, p. 95.
- ⁵³ Roger Nisbet, "Knowledge Dethroned," *New York Times*, September 28, 1975, p. 239.
- ⁵⁴ Regina Deil-Amen and James E. Rosenbaum, "The Social Prerequisites of Success: Can College Structure Reduce the Need for Social Know-How," *Annals of the American Academy of Political and Social Science*, Vol. 586 (March 2003), p. 122.
- ⁵⁵ "1961 readership survey" American Academy of Political and Social Science Archives.
- ⁵⁶ "Dr. Richard Lambert letter to Dr. Lawrence Sherman, Mary 28, 2002," American Academy of Political and Social Science shared hard drive.
- ⁵⁷ "November 1970 Board Minutes," PDF American Academy of Political and Social Science shared hard drive. As the minutes show, the academy consulted their council of Drinker, Biddle, and Reath to fight the IRS. Their tax exempt status was never revoked.
- ⁵⁸ James C. Charlesworth, "Special Supplement: Seventy-Five Years of the Academy," *Annals of the American Academy of Political and Social Science*, Vol. 360 (July 1965), p. 174.
- ⁵⁹ "Report of the Board of Directors to the Members of the American Academy of Political and Social Sciences for the Year 1968," *Annals of the American Academy of Political and Social Science*, Vol. 383 (May 1969), p. 160.
- ⁶⁰ Hans Heymann, "A Golden Rule in Economics," *New York Times*, July 11, 1943.
- ⁶¹ Doctors: Robert C. Toth., "Study Says A.M.A Trails in Science," *New York Times*, June 17, 1963, p. 17; police interrogation: Sidney E. Zion, "Few Confessions Tied to Questions," *New York Times*, November 12, 1967, p. 55. Pop-stars: David Dempsey, "Why the Girls Scream, Weep, Flip," *New York Times*, February, 23, 1964, SM15.
- ⁶² "Report of the Board of Directors to the Members of the American Academy of Political and Social Sciences for the Year 1968," p. 162.
- ⁶³ The 105 figure comes from Hans Knight, "Hard Boiled Egghead," *Sunday Bulletin Magazine*, April 4, 1965, p. 4.
- ⁶⁴ The 1957 Report of the Board of Directors marked as one of its goals to "Obtain a special grant from one of the foundations for the purpose of preparing a high-school-level publication." ("Report of the Board of Directors to the Members of The American Academy of Political and Social Science for the Year 1957," *Annals of the American Academy of Political and Social Science*, Vol. 316 (March 1958), p. 137.
- ⁶⁵ "1964 memo to advertisers," Black Scrapbook, American Academy of Political and Social Science archive.
- ⁶⁶ "Library promotion material," Black Scrapbook, American Academy of Political and Social Science archive.
- ⁶⁷ A flyer was sent out reading: "NOTICE TO MEMBERS AND SUBSCRIBERS: On July 25, 1967, the Academy Headquarters was heavily damaged by a fire caused by lightning. Operations have been seriously impaired, but we have been making every possible effort to resume our normal activities. We are making this announcement so that you may understand, if services to you have been interrupted.

James C. Charlesworth, President.” Black scrapbook, American Academy of Political and Social Science archives.

⁶⁸ “Report of the Board of Directors to the Members of the American Academy of Political and Social Science for the Year 1950,” *Annals of the American Academy of Political and Social Science*, Vol. 274 (March 1951), p. 206.

⁶⁹ “Report of the Board of Directors to the Members of the American Academy of Political and Social Science for the Year 1963,” *Annals of the American Academy of Political and Social Science*, Vol. 353 (May 1964), p. 133.

Senior Honors Thesis Abstracts

Phoebe Anderson-Dana

Art both Valued and Condemned: German Reactions to French Impressionism, 1870-1945

Advisor: Steven Hause

Much has been written on the looting of European countries by the Nazi regime during World War II. Not only did the Nazi regime confiscate artwork during the occupation of France, they also worked with dealers to trade large numbers of “degenerate” artworks including French Impressionist paintings for a few desired and officially-approved works (fifteenth-century Italian paintings, for example). Analysis of these exchanges reveals the extent of the Nazis’ ideological hypocrisy towards French Impressionism in rejecting it as a valid aesthetic yet benefitting from its prominent standing on the international art market. Few studies have addressed these exchanges in depth and traced why, when and how French Impressionism came to be labeled as “degenerate” by the Third Reich. French Impressionist artworks were first seen in imperial Germany during the culturally conservative reign of Kaiser Wilhelm II; the paintings were both admired and perceived as a threat to Germany’s national culture. The debate about French Impressionism in Germany incorporated many social issues including nationalism, anti-Semitism and Francophobia; Germany’s defeat in World War I and struggles during the Weimar Republic intensified these issues. French Impressionism was not initially well-received in France, either, as it was confusing to contemporary viewers in its variance from artistic tradition. Despite the debates in France and Germany, and thanks to the work of dealers, French Impressionism grew in status on the international art market during the late nineteenth century and into the twentieth. By the time the Third Reich came to power, French Impressionist paintings were highly valued on the international art market but officially condemned as “degenerate” in Germany. This project provides perspective on the subsequent manipulative exchanges of “degenerate” art made during the occupation of France through an examination of the political and cultural context of French Impressionism’s reception in Germany.

Andy Baskin

Roman Law in the Long Fourth Century

Advisor: Mark Pegg

One of the most enduring legacies of the Roman empire was its legal system. Roman law codified the values of an empire stretching across three continents and containing a quarter of the global population. My thesis covers the legal changes of the Dominate, spanning from the reforms of Diocletian in 293 to 450. My thesis analyzes the creation and execution of the law during this period in order to understand its purpose and use in an empire such as Rome. I argue that the complex and myriad processes for creating the law, which stemmed from a society torn between centralization and local control, resulted in a flawed system unable to meet the demands of powerful constituencies within the empire. These groups, the Church, the aristocratic elite and eventually the barbarian settlements, adapted the law to fit their own purposes during the chaotic fifth century. Roman law endured for centuries after the collapse of the Roman state, but was still used for very different reasons than originally intended.

The first chapter traces the legal changes of the fourth century and explains how and why they occurred, with an emphasis on how competing social and political forces within the empire shaped the law. The second chapter covers the nature of Roman law in practice after these changes had occurred. The legal system had many flaws and problems that limited the implementation of a just legal apparatus. Some of these imperfections were to be expected of any judiciary, but others were inherently Roman in the way they affected the justice of the system, and in the reaction they drew from the public. The last chapter addresses the consequences of late Roman law on the empire by assessing the legal and extralegal alternatives that developed and the legacy of Roman law in late antiquity.

Daniel J. Caldera

A Packed Court: The Role of Conflict in the First Amendment Jurisprudence of the Stone Court

Advisor: David Konig

During the tenure of Chief Justice Harlan Fiske Stone in the early 1940s, the Supreme Court established important new precedents in the First Amendment areas of freedom of speech and free exercise of religion. Footnote 4 of *United States v. Carolene Products* in 1938 had just explicitly suggested that the Court might apply different standards of review to laws that affected civil liberties than to laws regulating the economy. At the same time, members of the Jehovah's Witnesses began challenging state and local ordinances that regulated their doctrinally mandated public proselytizing activities or that compelled them to salute the flag in violation of their religious beliefs. These cases forced the Court to further define the meaning and scope of the Free Speech and Free Exercise Clauses.

Between 1937 and 1943, Franklin Roosevelt had the opportunity to reshape the Court by making eight appointments. Among his appointments were Justices Hugo Black, Felix Frankfurter, William O. Douglas, and Robert H. Jackson. These four men were four of the most prolific justices of the twentieth century. Each was an economic New Dealer who believed that the Congress and the states had broad authority to legislate in the economic arena. At the same time, each had a different judicial philosophy and a different view about the extent to which the Bill of Rights curtailed the state's legislative power. The First Amendment cases that came before these justices focused on the very constitutional issues that they fervently disagreed about. These constitutional conflicts combined with their bitter personal disputes and the emotion and uncertainty brought on by the ongoing world war played an important role in shaping the opinions, and thus the legal precedent, that the Court handed down in these fundamental First Amendment cases. While the result of the decisions was increased protection for speech and religious exercise, the constant conflict bred deep suspicion and resentment that made cooperation and moderation extremely difficult. Furthermore, because the Court drastically shifted course in its Free Exercise Doctrine, changed its mind about the extent that religious activity was protected from regulation, the law in this area remained unstable for decades.

Andrew Collings

Our land, our jewel, our possession: Franciscans, Mexica leaders, and inquisition, 1536-1540

Advisor: Mark Pegg

Spaniards who made the Atlantic crossing to conquer, colonize, and Christianize the Americas brought with them their conceptions, ideas, and institutions, seeking to create a New World much like the one they had left. One of these institutions, considered instrumental to the conversion of the Americas through the extirpation of heresy and idolatry, was the Holy Office of the Inquisition. This thesis investigates the “Mexican Inquisition” in the early sixteenth-century, focusing primarily on sixteen trials of Mexica (Aztecs) from 1536-1540 by the Franciscan bishop, Don Fray Juan de Zumárraga. Early inquisitorial activity is placed within the colonizing and missionary efforts in the Valley of Mexico in the decades following Cortés’ conquest of the Aztec Triple Alliance in 1521, as well as within current scholarly trends concerning New Spain and the Inquisition. Inquisitorial organization and activity is analyzed, showing that in early colonial New Spain, its functioning was more akin to medieval, ad-hoc inquisitions than the contemporary, self-perpetuating tribunal in Spain. The trial records themselves are evaluated, demonstrating how these sources can reveal the deep religious convictions, expectations, hopes, and fears of the friar-inquisitors regarding their native subjects. Then, from a close reading of the trial of Don Carlos of Texcoco (who was executed in 1539), this thesis seeks to better understand the Mexica, particularly indigenous leaders who played a crucial role as intermediaries between Spanish authorities and the vast indigenous populations they ruled. Finally, after a consideration of the aftermath of Zumárraga’s inquisition - the natives’ 1571 exclusion from the jurisdiction of the Holy Office, the creation of native disciplinary tribunals, and the development of the earliest American ethnography – this work argues that, while Zumárraga and his inquisition belonged to a medieval world, the conflicts and changes arising over the following decades were indicative of a different world altogether.

W. Harry Hartfield

A Special Situation in The Straits: The Turkish Straits Crisis of 1945 and 1946 and the Cold War

Advisor: Krister Knapp

This thesis focuses on the Turkish Straits crisis in 1945-1946, and America's role in the crisis. The Turkish Straits crisis revolved around Soviet demands for joint control over the Turkish held, Bosphorous and Dardanelles. It argues that the Soviet policy in regards had been the same since 1921, and that the creation of that U.S. foreign policy towards the Straits did not reflect history, but a new cold war mentality within the Truman administration. The thesis demonstrates that as early as 1921 the Soviets had made clear that they wanted greater control over the Straits. Furthermore, during World War Two the U.S. and Britain, disappointed with Turkey's neutrality, repeatedly hinted to the Soviets that they would receive greater rights to the Bosphorous and Dardanelles when the War ended. At the end of the war, the U.S. had no policy towards the Straits and its initial attempts to create one failed. Discussions at the conference at Potsdam, and Soviet actions, demonstrated that by 1945 the crisis over the Turkish Straits had begun, but that the U.S. was conflicted over how to react. Policy makers had grown uneasy about the Soviets by 1945, but wanted to negotiate a solution that rewarded Soviet sacrifices in the War. Finally, it will demonstrate the change in U.S. foreign policy in regards to the Straits in 1946, and from where those changes emerged. America's final policy was far more aggressive than any previous policy, and its creation represented the first assertive Cold War inspired policy that recommended force if necessary. The United States' changes in foreign policy in regards to the Straits were the first time Cold War mentalities created foreign policy. Overall, the thesis will maintain the critical importance of the Straits in the start of the Cold War, and how the evolution of U.S policy represented the change not in the crisis of the Straits, but in the mindset of American policy makers.

Martin Mintz

Public Space and the Civic-Minded Woman: Roots of City Planning in the Early Twentieth Century

Advisor: Margaret Garb

This thesis traces the rise of professional urban planning and argues that the roots of such practices originated from voluntary women's reform work in the early twentieth century. In 1901, a group of mainly women reformers opened their first of many open air playgrounds in St. Louis' dense, diverse immigrant district known as the North End. Situated near the river, the playgrounds were designed to integrate the immigrant children into American life. The playgrounds grew in popularity, both with the immigrants and the municipal government over the first fifteen years of the twentieth century. The work of the reformers developed into a transformative vision of St. Louis that affected the city socially, culturally and physically.

Examination of the early stages of city planning demonstrates the hurdles faced by women in the public sphere. As the city took greater control over the playgrounds, the female reformers who helped to develop the theories and practice of public space in the immigrant district of St. Louis were questioned and eventually marginalized. Despite such challenges, the women reformers shaped the future of city planning in the twentieth century.

Randall Pippenger

The Badge of Immortality: Defining the Second Crusade and Christianity

Advisor: Mark Pegg

The importance of the First Crusade has long been recognized. However, the men who participated in that expedition had very ill-defined notions of exactly what they were doing or why what they were doing was holy. Broadly, this thesis argues that these notions became better defined during the early twelfth century, and solidified during the Second Crusade. On one hand, the thesis is a powerful restatement of the crucial importance of the Second Crusade, and on the other hand, it examines the crusade from a unique perspective that takes broader themes of the twelfth century into account. The Second Crusade was the moment when taking the Cross definitively became a part of what it meant to be a Christian for laymen, and more specifically, for the developing “class” of Christian knights. It was the moment when almost all remaining ecclesiastical doubts were cast aside, and violence became an accepted act of redemption.

The thesis is divided chronologically into four chapters. The first chapter serves as an introduction to the argument, the principle sources, and the historiography of the Second Crusade. The second chapter is an analysis of the development of these trends through the early twelfth century up to Easter 1146, highlighting the growth of crusade literature, the establishment of the military orders, and the issue of the first crusading bull, *Quantam Praedecessores*, in 1145. The third chapter scrutinizes the Second Crusade itself, including the organized preaching campaign and the evidence presented in charters, letters and chronicles from Easter 1146 to 1148, in order to demonstrate that it was indeed at this *moment* that crusading conclusively became a fundamental part of what it meant to be a Christian, especially for the knightly class. The fourth chapter examines the aftermath of the expedition and demonstrates the definite and lasting character of the trends that culminated in the Second Crusade.

Daniel Rosenbaum

Sacred Landscapes: The Emergence of the Neighborhood School Ideology and the Failure of Public School Integration in Benjamin Willis' Chicago

Advisor: Sonia Lee

In the first years of the 1960s, debate over the de facto segregated nature of local public schools dominated Chicago headlines. Angered by widening racial inequalities, civil rights activists – led by the NAACP and the Community Council of Coordinating Organization – held system-wide boycotts and marches downtown, while white resistance groups – eager to preserve the status quo – responded with lobbying efforts, publicity campaigns, and protests of their own. The pro-integration faction thundered against the overcrowded and underfunded black schools that sometimes sat mere blocks away from white ones. The anti-integration faction, in the face of such criticism, had a remarkably simple response: in letters and telegrams sent to Benjamin Willis, the superintendent of schools, Chicagoans intoned, “We don’t want any interference with neighborhood school policies.” Willis and the Board of Education agreed, arguing that the city’s strict attendance boundaries, which kept students confined to their own neighborhood from elementary through secondary school, was not only racially-neutral and central to Chicago’s proud sense of community, but that it also respected historical local precedent. Yet the neighborhood school ideology was, in fact, a recent incarnation that had gained widespread support only in the post-*Brown* era. This paper argues that the policy of neighborhood schooling did not reflect the realities of community in Chicago, that it was used as a smokescreen for racial intent, and that it grew to become a flashpoint issue during the Willis years. The central role played by the ideology then guided the school crisis, allowing the white resistance to come across as more moderate, more local, and less politically-motivated than the progressive activists who derided the neighborhood school and seemed more detached from “real Chicago” as a result. When Benjamin Willis left office in 1966, the segregated nature of Chicago education was – thanks to the neighborhood school – contentiously secure.

Monica Rude

Making History: How Standards Debates and Textbooks have Shaped High School History Classrooms in the United States

Advisor: Mary Ann Dzuback

The focus of my project is on the history of high school history teaching through textbooks, standards setting, and political debates. My chapters work together to show how textbooks and standards debates interact with a case study that revolves around both. I open by introducing players who have affected national debates about high school history instruction. Chronologically, the story of standards opens in 1892 with the Committee of Ten and works forward to show how different interest groups including the NEA, AHA, immigrant organizations, the College Board, and NCHS have attempted to set standards in high school history classrooms. An understanding of standards debates is helpful, but only tells one side of the story. A fuller picture of what was happening in high school classrooms can be gained from examining textbooks. My second chapter focuses on textbook development in the field of American history and recognizes the changes that took place overtime as textbooks shifted from being traditionally sized with few illustrations to behemoths filled with glossy photos and cartoon-like illustrations. Textbooks are remarkable because they offer a glimpse at the type of instructional tools teachers and students used everyday. Included is research I conducted at Harvard University's Gutman Library in the Archives and Special Collections. While in Cambridge I was able to work with historic textbooks published by authors like Emma Willard, Edward Channing, and David Muzzey. Having an understanding of both standards debates and textbook trends prefaces the final chapter, which is a case study of both. In this chapter, the untold story of Project Social Studies emerges from a series of interviews and original research. The project was the brainchild of Ted Fenton and began in the early nineteen-sixties. For the next ten years, a dedicated group of researchers, many of who were former classroom teachers, attempted to change how history was taught to high school students. With grants from the Department of Education and support from the Carnegie Institute of Technology, the team embarked on Project Social Studies with the idea that high school students should be exposed to history with the same document-based approach used by historians.

Howard Rudnick

An African Awakening: SNCC's 1964 Delegation to Africa and Globalizing the Struggle for Freedom in the Wake of Freedom Summer

Advisor: Jean Allman

Challenging the traditional periodization of internationalism within the Student Nonviolent Coordinating Committee (SNCC), this study tells the story of SNCC's 1964 delegation to Guinea and John Lewis and Donald Harris' extended trip around the African continent that followed, elucidating how the African experience ignited a desire among members of SNCC to engage in the international arena. Emerging from the triumphs and heartache of Freedom Summer, the organization was searching for answers and reassessing the core of its approach. Some in SNCC sought solutions internally and others looked across the Atlantic to an emerging independent Africa for guidance. In Guinea, the group of eleven seasoned American activists found a thriving independent black nation and inspiration to improve the lives of blacks in the cities and towns of the South from whence they had come. A respite and reawakening, the group's time in Africa offered them a political education and emersion in the international black struggle for emancipation and empowerment. The trip marked a critical moment in the evolving political and philosophical trajectory of the organization and a broadening of consciousness for the young men and women who comprised it. The trip also gave birth to a short-lived collaboration with Malcolm X, and though Malcolm was assassinated in February of the following year, SNCC continued to build on the lessons of the trip and develop its international profile. Historians have largely understood SNCC's internationalism as a product of its latter years of organizing, treating the trip a mere footnote and neglecting to discuss the importance of internationalism to the organization's mentality and program before 1966. Using SNCC's internal documents, the memoirs of its staffers, newspaper accounts, and interviews, this thesis argues that to the contrary the trip was a transformational moment in the historical trajectory of the organization and the entire black rights struggle.

Dave Spandorfer

The Decline of the Academy: The History of the American Academy of Political and Social Science, 1945-2000

Advisor: Krister Knapp

My thesis examines the extraordinary rise of the American Academy of Political and Social Science following the Second World War and its sudden and swift downturn after 1968. Since its inception in 1892, the Academy has been one of the most influential and recognized institutions of scholarly work: its membership spans the globe and the authors of its flagship journal, the *Annals of the American Academy of Political and Social Science*, have included luminaries such as Mahatma Gandhi, Ted Kennedy, and W.E.B DuBois and academic scholars such as Talcott Parsons, John Kenneth Galbraith, and Robert Dahl. Since its inception, the Academy has advocated the importance of employing social science research in policy formation. It has championed this belief through the *Annals*, its Annual Meetings, and its diverse membership and readership, which have included not just scholars, but journalists, clergymen, businessmen, politicians, and government officials. These features make the Academy the perfect institution to study the American public's faith in applying social science as a public policy tool. Using primary sources from the organization's extensive historical archives, this thesis—the first comprehensive study of the Academy's history—answers how the organization fell from 25,155 members in 1968 to 2,323 by 2000. The thesis charts both developments within the Academy and larger developments outside it in order to identify the catalysts of decline. I argue that the American Academy of Political and Social Science's fall was a consequence of mismanagement, an inability to adapt during the 1970s and 1980s, the fragmentation of the social science disciplines, and America's waning belief that the social sciences could cure both the country and world's vast policy problems.

Rachel Wisdom

“God and posterity will show me favor”: A Search for the Historical Lady Jane Dudley In Light of Her Later Portrayals

Advisor: Derek Hirst

The sixteen-year-old Lady Jane Dudley, born Grey, was pushed onto the throne for nine days in July 1553, a last-minute effort in retaining a Protestant monarch. She was quickly toppled by the rightful heir, the Catholic Queen Mary I, giving Jane the shortest reign in English history. Shortly thereafter, Jane was beheaded for treason. For the next four and a half centuries, Jane’s story would be told over and over again—vastly more often than her relative insignificance in history would suggest—casting her as a saint, a martyr, a child prodigy, an airheaded girl with little interest in religious or academic matters, an innocent young victim, a heroine of romantic legend, a Victorian role model of meek womanhood, or a religious fanatic. Some of these portrayals are outlandish; nearly all at least stretch the truth. Generally, fictional and “historical” accounts of Jane have said more about the era in which they were written than they have about Jane.

This thesis attempts to reach a better understanding of Jane, examining how she saw and presented herself, how she was later portrayed, and how she might be most accurately seen. It argues that Jane should be portrayed first and foremost in light of her religion—not as a martyr, but as a faithful Protestant very much consumed with spiritual matters. She had a remarkably strong faith for someone so young, and she meant to be remembered as someone whose faith strengthened her at the end and who relied continually on her God. Her story does not have much meaning outside of its religious context. Jane can also be accurately seen as an exceptionally strong woman who was exceptionally bold, especially in light of her youth. Jane, this thesis concludes, is best viewed as an excessively outspoken girl and a faithful Protestant.

